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Black Suffering, White Guilt?

Aboriginal Disadvantage and the Royal
Commission into Deaths in Custody

Current Issues

February 1993

IPA

Ron Brunton



Institute of Public Affairs

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About the Author

Dr Ron Brunton is the Director of the IPA's Environmental Policy Unit. He has been appointed as a Senior Associate in the Department of History and Philosophy of Science and Anthropology at the University of Melbourne for 1993. He trained as an anthropologist, and has worked in academia, the public service and private industry. He is the author of *The abandoned narcotic: kava and cultural instability in Melanesia*, as well as many articles on anthropological, political and environmental issues.

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Finally, I would like to thank my wife Tess who listened patiently to my arguments and commented on the manuscript as it was written. I have benefited greatly from her advice.

Ron Brunton

Synopsis

Over the past two decades there has been little evidence to suggest that Australia is on the way towards solving the pressing problems of Aboriginal disadvantage, despite all the ameliorative programmes directed at Aborigines. One is forced to ask whether this is partly because the narrowing of discussion on Aboriginal issues, and an unwillingness to confront certain unpalatable possibilities, has tended to preclude informed public debate about whether the thrust of Aboriginal policies has been misconceived.

This monograph is an attempt to open up discussion on one of the most significant issues facing Australia by showing the fallacies in the conventionally accepted explanations of Aboriginal disadvantage and then to outline an alternative approach to policies on Aboriginal issues. It makes its case by focusing on the National Report of the Royal Commission into Aboriginal Deaths in Custody, because this report is the most comprehensive expression of current opinion and because of its increasing importance in legitimising particular courses of action. The inconsistencies, questionable assumptions, stereotypes and silences of the National Report reflect a general problem.

Without denying the grave injustices that Aborigines have suffered in the past, attempts to explain continuing Aboriginal disadvantage in terms of the supposed 'racism' of contemporary Australian society are flawed. In particular, the concept of 'institutional racism', which has a major role in the National Report and much other commentary, is bogus.

Consideration must be given to whether a number of aspects of Aboriginal cultures are really compatible with the goals of overcoming disadvantage. It is also necessary to recognise that 'protectionism' and 'assimilationism'—which are so denounced in the policies of the past and invoked as a cause of contemporary problems—are also

present in many currently favoured policies, including those advocated by the Royal Commission.

A prerequisite to addressing the problems of Aboriginal disadvantage is to abandon the collectivist notions that underpin present thinking. Particularly given the diversity of contemporary Aborigines' lives and aspirations, the 'self' in 'self-determination' can only refer to individual selves. Governments should move to dismantle the structures, legislation and programmes which distinguish Aborigines from other Australians. Amongst other things, such structures help sustain the false stereotype that people are disadvantaged simply because of their Aboriginal identity. Governments should provide any necessary assistance to people not on the basis of an ethnic or racial identity, but on the basis of whether or not they are disadvantaged.

Unfortunately, there are not many grounds for optimism. As in most circumstances where bad policies persist, the policies are defended by people with economic, political or psychological interests in maintaining the *status quo*.

Introduction

The problems of Aboriginal disadvantage and its consequences are some of the most important issues facing Australia today. A liberal democracy cannot allow an ethnically or racially identified section of its population to suffer such disproportionate economic, social and health problems without having its legitimacy called into question, both internally and internationally. This is particularly true of a nation like Australia, which has been so willing to condemn the way other countries treat their minorities. The existing situation also has massive costs, both economically and in wasted human lives. And some of the solutions that have been proposed, including independent Aboriginal sovereignty from the Commonwealth, could lead to ruinous social divisions and economic decline.

Yet many of the problems which Aborigines suffer seem to be intractable. Although there have been some successes, such as the decline in the infant mortality rate, and a growing number of Aborigines obtaining tertiary qualifications, data from the 1986 Census suggest that in relative terms the economic position of Aborigines had become worse than it was in 1971.¹ While data of this kind need to be interpreted cautiously, a number of informed observers have made statements which also support this conclusion: complaining that over the past two decades the overall situation has deteriorated in many respects. Those holding this view include prominent Aborigines, such as Lois O'Donoghue and Margaret Valadian, as well as other people with a long and sympathetic involvement in Aboriginal affairs.

This deterioration has occurred despite land rights legislation in some States and Territories, and the continuing expenditure of consi-

1 In order to cut down what would otherwise be a massive number of footnotes or in-text references, the sources for quotations, facts, etc. are all listed at the end, identified by page and paragraph, as well as a brief phrase sufficient to identify the text to which the reference applies.

derable amounts of money in the attempt to alleviate Aboriginal disadvantage.² There has also been much goodwill and a sense of obligation towards Aborigines, and widespread concern amongst Australians about the extent of Aboriginal inequalities. Virtually all segments of Australian political opinion now recognise that Aborigines have suffered gross injustices in the past as a result both of well-meaning policies, and of crimes committed against them in the course of their dispossession. And notwithstanding past attitudes and practices, contemporary Australia is not a particularly racist society, despite many self-serving claims to the contrary. Australia's general racial tolerance has been acknowledged even by people such as Sir Ronald Wilson, the deputy chairman of the Council for Aboriginal Reconciliation, and Eddie Funde, the former African National Congress representative in Australia.

Explanations of Aboriginal Disadvantage

Nevertheless, one response to the depressing situation of continuing Aboriginal disadvantage is to argue that Australian governments and people have not gone far enough in recognising the sins of the past, or in introducing and funding the necessary range of compensatory programmes and legislation. Generally speaking, this is the dominant position amongst those with an interest in Aboriginal issues, including most Aboriginal activists and their supporters, many academics, bureaucrats, clerics and journalists, and a substantial number of Federal and State politicians. It is the position taken in the most extensive and best-resourced inquiry to date into the causes of Aboriginal disadvantage: the Royal Commission into Aboriginal Deaths in Custody.

Another response is to ask whether or not the direction of Aboriginal policies over the past two decades has been misconceived. Fewer people seem willing to argue publicly along these lines, although there are notable exceptions, both amongst Aborigines, such as Margaret Valadian, John Moriarty or Bob Liddle, and non-Aborigines, such as Geoffrey Blainey, Paddy McGuinness or David Pollard. This hesitancy attests to the narrowing of serious discussion on Aboriginal issues that has occurred over recent years, and can be contrasted with the much more open discussions in the United States

2 A study prepared by ACIL Australia Pty Ltd estimates that 'Commonwealth spending on Aboriginal programmes in 1990/91 was around \$4,000 per Aboriginal person'. This figure excludes State government spending on Aboriginal programmes, as well as social welfare payments available to all Australians.

about the origins and persistence of what has been called the 'black underclass'. The mere suggestion that an analysis or proposal may be 'assimilationist' or 'ethnocentric' is sufficient to rule it out of consideration.

The social sciences, which might be expected to take the lead in ensuring wide-ranging and forthright discussion, are being blighted by political considerations. Many anthropologists, for instance, firmly believe that their (usually radical) interpretations of the interests of the people they study take precedence over all other matters, including objectivity and truth. Increasingly, scholars tend to look over their shoulders, asking whether their research might be interpreted as being 'unhelpful' to certain causes, or as providing ammunition to those who might question the worth of particular Aboriginal traditions. So are Aborigines: a year before being appointed as one of the Royal Commissioners in the inquiry into Aboriginal deaths in custody, Pat Dodson was reported to have warned delegates at an Australian Council of Churches conference that 'Aborigines who align themselves with forces opposed to a treaty between black and white Australians will be ostracised'. As Les Hiatt, the prominent anthropologist and doyen of Aboriginal Studies has said: 'it is becoming increasingly difficult to write or speak honestly about Aboriginal issues in public in this country'.

The foreword to the research papers produced by the Criminology Unit of the Royal Commission into Aboriginal Deaths in Custody indicates that this kind of thinking was prevalent, at least initially, amongst those working in the Royal Commission itself. At one point the very existence of this Unit was jeopardised because of the objectivity of its research:

The hostility towards the work of the Criminology Unit reached a climax only a few months after the work started when it became clear that the research showed that Aboriginal persons in either police or prison custody were no more likely to die than were non-Aboriginal people. This general finding was interpreted by some significant elements of the staff as undermining the very foundations of the Royal Commission. To even hint that such a conclusion was possible was seen as disloyal, misguided, and obviously wrong.

The Aim and Focus of This Monograph

This monograph has been written in the belief that the current approach to Aboriginal issues needs to be reconsidered, and that certain matters need to be discussed more candidly. These changes are

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necessary both in the interests of addressing Aboriginal disadvantage, and in the interests of maintaining the unity, harmony and prosperity of Australia as a nation. My primary concerns are to facilitate this reconsideration by establishing some of the major fallacies and inconsistencies in the officially accepted explanations of Aboriginal disadvantage, and then to outline an alternative approach to policies on Aboriginal issues.

I have chosen to present my case by concentrating on the Royal Commission into Aboriginal Deaths in Custody. There are a number of reasons for delimiting my presentation in this way. The Royal Commission's report has been widely acknowledged as a work of great importance, and all the indications are that it has established the framework which will guide policies and discussions on Aboriginal issues for many years to come. The authority of the Royal Commission is very frequently invoked either to justify a proposed policy or programme or to criticise governments and others for not taking a particular course of action. The Commonwealth Minister for Aboriginal Affairs has called the report of the Royal Commission 'one of the most significant Australian social documents of our time', and this sentiment has been echoed by the Aboriginal and Torres Strait Islander Commission (ATSIC). The Federal Government has accepted all of the Royal Commission's 339 recommendations, with the exception of one suggesting that ATSIC be constituted 'as an employing authority independent of the Australian Public Service' (Recommendation 189). The States and Territories have also accepted the overwhelming majority of the recommendations. Concentration on such a comprehensive and widely cited expression of the current wisdom on Aboriginal disadvantage also enables me to provide a more concise and focused presentation than would have been possible had I constructed a general account of the dominant approach from a range of sources. But my interest in the Royal Commission is confined to its consideration of Aboriginal disadvantage, and I have made no attempt to examine all the substantive issues covered either by the Royal Commission itself, or by its major report.

The Royal Commission into Aboriginal Deaths in Custody

The Royal Commission's Findings

The Royal Commission into Aboriginal Deaths in Custody was established in October 1987, in response to what appeared to be an extraordinary number of deaths and a fear that police and prison officers were either killing Aborigines, or inducing them to commit suicide. Its initial terms of reference were narrow, and focused simply on Aboriginal deaths in custody and any actions taken in respect of these deaths. In May 1988 these terms were amended so that the Royal Commission could report 'on any underlying issues associated with the deaths to take account of social, cultural and legal factors'.

Under its terms of reference the Royal Commission carried out exhaustive investigations into the cases of the ninety-nine Aborigines and Torres Strait Islanders who had died in custody between 1 January 1980 and 31 May 1989.³ It found that thirty-seven of the deaths were due to natural causes, thirty were by self-inflicted hanging, nine were immediately associated with substance misuse, and five occurred as a result of actions by police or prison officers. But it concluded that foul play had not been involved in any of these deaths, although it did make serious criticisms of many custodial standards and practices. The Royal Commission found that 'system defects' and 'failures to exercise proper care ... were causally related' to a number of the deaths.

The Royal Commission fully accepted its Criminology Unit's finding that the death rates for Aborigines in custody were very similar to the death rates for non-Aborigines in custody. Indeed, the Royal Commission noted the dreadful irony of evidence suggesting

3 Three of those who died were Torres Strait Islanders: Patrine Misi and Nikira Mau, who died in Queensland, and Misel Waigana, who died in Western Australia. The National Report uses the term 'Aboriginal people' for both Aborigines and Torres Strait Islanders.

that, at least for those Aborigines who had come into contact with the law, the risk of death might actually be greater *outside* custody. Although caution had to be exercised when making direct comparisons, 'the death rate of those Aboriginal people on non-custodial orders is approximately twice that of Aboriginal prisoners'.

The seemingly disproportionate number of Aboriginal deaths was a result of the grossly disproportionate number of Aborigines held in custody. The age-adjusted rate of Aborigines in police cells was twenty-nine times the non-Aboriginal rate; in prisons the rate was fifteen times greater. Notwithstanding an unacceptably high rate of deaths for all people in custody—a situation also occurring in many other countries—the crucial question is why so many Aborigines are being incarcerated in the first place. The Royal Commission argued that the most important part of the answer is to be found in the gross disadvantage Aborigines suffer in nearly all aspects of their lives. In turn, this disadvantage is a product of their historical legacy of dispossession and the racism that is 'a central experience' for Aborigines: 'so much of the Aboriginal people's current circumstances, and the patterns of interactions between Aboriginal and non-Aboriginal society, are a direct consequence of their experience of colonialism and, indeed, of the recent past'.

A number of broadly defined areas of concern can be distinguished in the Royal Commission's work. The basic task was to establish the facts of each death and the subsequent actions taken. Following from this were deliberations about how to minimise the likelihood of future deaths in custody, and how to ensure that the investigations of any such deaths would leave less room for suspicion that authorities were concealing the truth. Given the similarity of their death rates in custody, these matters are equally relevant to both Aborigines and non-Aborigines, although this was not always acknowledged by the Royal Commission (for example, Recommendations 19, 156). Another obvious area of inquiry was how to reduce the number of Aborigines coming into contact with the criminal justice system. This is clearly related—though not necessarily in all the ways identified by the Royal Commission—to the major concern of the National Report: establishing the extent of Aboriginal disadvantage, explaining it, and recommending how it can be overcome.

Evaluating the Royal Commission's Approach to Aboriginal Disadvantage

In this monograph I will concentrate almost exclusively on the National Report, which was published under the name of Commissioner Elliott Johnston QC⁴, as this report presents the broadest focus on the social, cultural and other issues relating to the position of Aborigines in Australian society. The National Report draws extensively on the six volumes of regional reports prepared by the other four Commissioners, as well as the reports of individual deaths, and it contains all the 339 recommendations, together with the supporting argument.

The National Report, released in May 1991, comprised over 2,000 pages in five volumes. The regional reports were released at the same time. Including the 1988 interim report by Commissioner James Muirhead QC—whose Commission was revoked in April 1989—the Royal Commission produced 110 volumes, totalling over 12,000 pages. The cost was \$29.7 million, which makes it the most expensive inquiry in Commonwealth history.⁵

Most people would probably not begrudge this cost if it seemed that the Royal Commission had made a major contribution to ending the suffering that afflicts many Aborigines and their communities. No decent person could quarrel with the Royal Commission's stated goals of minimising deaths in custody, drastically reducing the number of Aborigines coming into contact with the criminal justice system, and eliminating Aboriginal disadvantage. At the same time, people also need to be reminded that it is wrong simply to present Aborigines as a 'problem'. They are not a 'problem'; they are human beings. Many Aborigines have economic, health and other problems; yet many do not. Similarly, the Royal Commission is right to draw attention to the numerous stories of Aboriginal successes and contributions to Australian life. But good intentions and fine sentiments can hardly be sufficient grounds for such an expensive inquiry. The Royal Commission can only be assessed in terms of whether its work is likely to assist the process of achieving its laudable goals.

4 Despite the frequent use of the word 'I' in the National Report, it is fairly probable that it was the product of many hands. Consequently, I make no further reference to Commissioner Johnston by name in this text. This is also in accord with my concern to focus on the National Report as representative of a general approach, rather than to single out any one person.

5 One of the volumes dealt with three deaths and one covered a preliminary inquiry into a death that fell outside the Terms of Reference. The \$29.7 million figure does not seem to include contributions from the States.

Unfortunately, I believe that the Royal Commission into Aboriginal Deaths in Custody has been largely a waste of time and resources, at least in its treatment of the central issue of Aboriginal disadvantage. (I should repeat that I am not concerned with the Royal Commission's discussion and recommendations directed at improving custodial treatment and minimising future deaths. Although some of the recommendations on these matters belabour the obvious—such as numbers 28 or 134—many seem sound and I have no quarrel with them.) The recommendations, and the philosophy behind them, are most unlikely to achieve their stated goals, and may make some problems worse. The National Report acknowledges the individualism, diversity and strongly localised identifications of Aboriginal societies, but its overall tenor is collectivist. It is directed at advancing the process of 'ethnogenesis', emphasising Aboriginal distinctiveness, and strengthening the forces which would set Aborigines apart from much of mainstream Australian life. Although it claims that its recommendations will improve community relations, its thrust is to intensify an adversarial identity focused on Aborigines' roles as victims. While it counsels 'that Aboriginal people must accept responsibility for their own destiny', this noble sentiment is continually undermined by alibis which blame contemporary Aboriginal problems predominantly on the racist actions and institutions of other Australians. Despite the disarming warnings about the dangers of ideological thinking, the National Report is itself a highly ideological document. There are a number of inexplicable silences, and many internal inconsistencies.

Aboriginality

Definitions and Identity

The standard definition adopted by Federal Government departments to determine eligibility for benefits to which Aborigines and Torres Strait Islanders have exclusive access is as follows:

An Aboriginal or Torres Strait Islander is a person of Aboriginal or Torres Strait Islander descent who identifies as an Aboriginal or Torres Strait Islander and is accepted as such by the community in which he lives.

Obviously, there is a fair degree of circularity in this definition, and substantial room for argument in individual instances. In a few cases the jurisdiction of the Royal Commission was challenged on the grounds that the dead person was not an Aboriginal. As a consequence of one such challenge, a Full Bench of the Federal Court ruled that a 'non-trivial' degree of Aboriginal descent was an essential prerequisite. Where there was 'uncertainty about a person's race' however, self-identification and recognition by others who are accepted as being Aborigines could be taken into account. It is not at all clear just what 'non-trivial' means. Nevertheless, one can fully understand a reluctance to specify a precise degree of ancestry, given the widespread and justified repugnance that has developed in the past few decades over attempts to classify individuals according to racial criteria.

The National Report states that Aborigines resent attempts by non-Aborigines to define and categorise them, seeing such attempts as 'a continuing aggression'. Again, it is not hard to feel sympathy for this attitude, which is strongly grounded in the lack of control Aborigines had over self-definition in the past. Unquestionably Jews, or Chinese, or Arabs would similarly resent externally imposed definitions as to what properly constituted their identity. The report also notes that it can be a political act to declare a particular individual as Aboriginal or not, and that the person concerned, or others, may accept or deny such identification as circumstances dictate.

The number of people who identify themselves as Aborigines or Torres Strait Islanders has more than doubled in the past twenty years. In the 1971 Census, 115,953 people identified themselves as Aborigines or Torres Strait Islanders, whereas the (preliminary) 1991 figure was 257,333. Part of this growth is due to natural increase and to more adequate enumeration. But it seems clear that many people are now asserting an Aboriginal identity which they had previously denied. This change has a number of positive features, because it indicates the passing of those regrettable times when some people felt constrained to disguise an Aboriginal ancestry. Yet there may also be opportunistic aspects to these new identifications, as some people seek to take advantage of special benefits available only to Aborigines. This has been recognised and commented on by Aborigines themselves, *pace* remarks in the National Report about 'the new myths [relating] to the "privileges" available to Aboriginal people'.⁶

Tensions in Constructions of Aboriginality

The National Report points to tensions between the constructions of 'public Aboriginality' that have been formulated by the Aboriginal movement over the past two decades, and the self-understandings and experiences of individual Aborigines. It acknowledges the coercive nature of such constructions: people may be expected or pressured to conform to certain notions of Aboriginality which they personally reject. One tension may be between a highly localised and differentiated source of identity and a desire to create a pan-Aboriginal identity based on presumed cultural and historical similarities. As Deirdre Jordan observed in the mid-1980s, some traditionally oriented people rejected the category of Aboriginal as a European term, and used it 'for part-Europeans in order to distance themselves'. At least in the past, particular groups of Aborigines seem to have been quite prepared to see their own humanity as different in kind from the humanity of other Aborigines. Thus the Melville and Bathurst Islanders called themselves 'Tiwi', which meant 'we, the only people', looking upon all others as 'not real

6 Thus Roberta Sykes has written that 'the black community does have a problem ... just thinking about coping with a flood of white-looking and totally deculturalised people poised to demand Aboriginal rights for themselves'. The National Report's reference to Ruby Hammond's note and its subsequent comments are also relevant because they do recognise the possibility of opportunistic identification.

people, or at least not human enough to share the islands with the chosen people who owned them'. Even in the 1950s, the Warlpiri characterisations of some of their more distant neighbours were grotesque, as the Warlpiri regarded them as 'cannibals who deserved to be shot'. While the National Report recognises the extent of political fragmentation in Aboriginal Australia before European contact, it plays down the hostility and violence that often existed between different groups.⁷

Another source of tension is the role of adversarial themes in defining Aboriginality. Gillian Cowlshaw describes what she calls the 'oppositional culture' developed by some Aborigines, with others indifferent or actively hostile. 'Oppositional culture' is partly manifested 'in the direct attacks on property, in the black power vocabulary which has been adopted by some of the young people, and in the defiant public emphasis on values that are known to upset the dominant whites'. The National Report does refer to 'alternative ways of achieving status' for young Aboriginal men alienated 'from the source of Aboriginal being: country, kinship, and ceremony', which may 'involve conduct which is at odds with the laws created by non-Aboriginal society'. But it presents these 'alternative ways' as though they are simply a response to social breakdown. Certainly, some of them are. Yet Cowlshaw is talking about a broader and more determined process, the 'ongoing recreation of a distinct cultural heritage', in which culture becomes 'a sphere of overt political struggle'.

Apart from the general observation that 'like all cultures Aboriginal culture [sic] has aspects which could clash with those of other cultures', this is not a matter which receives attention in the National Report. Obviously, it could open up a line of argument that would be very difficult to reconcile with the argument that a strengthening of Aboriginality is more likely to improve, rather than harm, community relations. But some of the Royal Commissioners were clearly familiar with Cowlshaw's work, and the National Report refers to her book on a number of occasions. She also worked for the Royal Commission on a part-time basis, preparing papers on under-

7 As an example, it is only necessary to compare the National Report's account of 'Aboriginal society [sic] prior to British arrival', or 'the role of native police' with the account Lorimer Fison and A.W. Howitt gave of Kurnai warfare. In the discussion of native police the National Report also refers to Aborigines pursuing Aboriginal enemies, with 'enemy' in quotation marks as though the concept did not apply.

lying issues for both the regional and national reports. A number of other researchers have similarly noted that themes of opposition and resistance to the wider Australian society are becoming increasingly important in attempts to develop a pan-Aboriginal identity. This is hardly surprising given the great heterogeneity and internal divisions amongst contemporary Aborigines. Heightened opposition to the 'other' is a common feature of the process of creating and sustaining an ethnic identity.

So 'Aboriginality' is not a discrete or unambiguous category, nor can it be under the currently accepted definitions. It comprises elements of biological descent and a range of social constructions, all of which may receive different emphases according to the context and the individuals concerned, and which are not necessarily consistent with each other. There are people who qualify as Aborigines in terms of descent, but who might not see themselves, or be accepted by others, as Aboriginal at a given point in time. There are others, such as the prominent educationalist Eric Willmot, or Tony Majurey, a Maori who died in custody, whose self-identification as Aboriginal might be accepted by at least some other Aborigines, but not in law.⁸ Self-identification need not necessarily coincide with identification by others, and both may change over time. Communities are unlikely to be unanimous in accepting certain people as Aborigines, and internal political differences may have some influence on recognition. The extent to which Aboriginality encompasses a person's sense of self will vary. For some it may be all-embracing, dominating every facet of life; for others it may be of lesser importance, merely one amongst a number of attributes constituting identity. And there will also be differences in people's willingness to see their Aboriginality as compatible with a sense of being Australian.

Similar considerations would apply to most other ethnic groups or categories in liberal democratic states as well. But the discrepancies and uncertainties about identity which they can bring about rarely become an issue for policy makers, or people outside the ethnic group involved, and this is as it should be. It is only when such groups are seen as possessing inherent rights, qualities or disad-

8 Mr Willmot unquestionably believed himself to be an Aboriginal. He seemed to be widely accepted as such, until his mother swore a statutory declaration that he had no Aboriginal ancestry whatsoever. He is still identified as an Aboriginal in some media stories. Tony Majurey was brought to Australia around the age of 15, and lived most of his life in Aboriginal communities. The Royal Commission was told that he was accepted as an Aboriginal by 'the Aboriginal community'.

vantages for which special treatment is warranted or demanded that the problem of definition becomes a matter of legitimate concern for others.

The Consequences of Aboriginality

The Royal Commission made many recommendations that certain kinds of preferential treatments and benefits should be available to *all* Aborigines because of the disadvantages that they suffer as a group. Of course, these recommendations merely continue or expand principles that are expressed in a number of existing Commonwealth and State government policies. Such principles depend on the notion that a transfer of resources from one section of the population to another is needed to achieve equity and redress past injustices. But once such an argument is accepted, it becomes extremely difficult to avoid the question of who should be included, and who excluded. The people who are providing the resources have a right to ask whether all the potential beneficiaries really meet the criteria on which the claims against them are being made. When fairness is invoked as a justification for a policy, it needs to produce, or at least promise, outcomes which will be widely accepted as fair. And insofar as the arguments for preferential treatment depend on moral criticisms of non-Aboriginal institutions and practices, other Australians can legitimately request some assurance that the recommended policies are likely to weaken any pretext for similar criticisms in the future. So non-Aboriginal Australians need to feel confident that they are not being asked to endorse actions that may benefit those least in need of assistance, while the relative position of the genuinely disadvantaged remains the same or gets worse, as has been the case with existing policies. And so, of course, do the Aborigines who are suffering disadvantage, especially as some of them may reject the grounds on which they are being identified with others.

Yet the Royal Commission's treatment of Aboriginality, and the consequences that should follow from it, is unsatisfactory and inconsistent. All the Commissioners claim that the key to ending the 'alienation of Aboriginal people' is to recognise them 'as a distinct people'. But at the same time the National Report acknowledges 'the extraordinary diversity of Aboriginal life styles and cultural experience', and accepts that in the past, 'Aboriginal Australia was not one "nation"; it was many'. So what is the basis of the peoplehood that is nonetheless being constantly asserted? (The assertion even extends to

the language of the National Report. Apart from direct quotations from other sources, the words 'Aborigines' or 'Aboriginals' hardly ever appear as plural nouns. It is nearly always 'Aboriginal people', as though constant repetition will help to substantiate what may now exist more as hope than as reality.)

The position adopted in the National Report would seem to be that this peoplehood has been created by historical and contemporary social forces. This would accord with the view currently ascendant amongst social scientists. The report maintains that Aboriginal people form a 'group that exists by virtue of its treatment in the society as a whole'. It also states that both the current official definition of an Aboriginal person and the basis of identification generally used by Aborigines is 'consistent with longstanding White Australian practice. At the turn of the century, anyone with a "touch of the tarbrush" was Aboriginal, and still today in country towns, any member of an Aboriginal family is "black" regardless of appearance'.

But this leads to the same problem that plagues nearly all the social scientists who discuss Aboriginality, a problem which largely stems from their desire to assist the more radical members of the Aboriginal movement in their attempts at political mobilisation. For if Aboriginality is an identity that has been created by the past and present social practices of others—and the responses to these practices—in what way is it possible to talk of Aboriginal people's inherent or essential characteristics? What justification can there then be for making statements like the following: Aboriginal people are 'the original owners of this country'; young Aboriginal men are alienated 'from the sources of Aboriginal being: country, kinship and ceremony'; 'Aboriginal people have a spiritual relationship to their land that has no parallel'?

Such statements seem to depend on a number of concealed assumptions about cultural authenticity and race which contradict assertions made elsewhere in the National Report.⁹ Given the 'extraordinary diversity' of Aborigines, what are the mechanisms which create and transmit the rights and qualities it identifies? Even if the

9 For example, 'There are new ways of being Aboriginal.... Moreover, once Aboriginal people are released from prehistory and recognized as having a present and even a future, the space is made for them to adapt and invent.... These developments ... have nevertheless drawn the reproach of inauthenticity from those who think only of Aboriginal people in terms of the past. Similarly, it is alleged that many of those who claim to be Aboriginal are impostors, usurping the benefits intended for "real Aborigines"'.

experiences of people classed as Aborigines were relatively uniform during a number of periods since 1788—and despite the claims of some historians, they were not—in the past few decades they have been extremely varied, as have been the social practices of non-Aboriginals. It is not self-evident that a third- or fourth-generation urban person with a single Aboriginal ancestor can be seen as one of ‘the indigenous people of Australia who were cruelly dispossessed of their land’, any more than those with a similar degree of convict or refugee ancestry can be seen as people ‘dispossessed of their homeland’. It seems that a variant of the old racist ideology is being smuggled in, with an Aboriginal essence transmitted ‘in the blood’, ineradicable no matter how much that ‘blood’ is diluted.¹⁰ Only people who accept such nonsense are justified in always talking about individual Australians as *either* Aborigines *or* Europeans. As Deirdre Jordan has observed in a different context, ‘It is a commentary on the perceptions of white society that contemporary theorists, even the most enlightened, assume that Aborigines [of mixed ancestry] should identify with the race of their black parent, rather than their white parent, and that the identity offered by mainstream society is one of exclusion from claims to European ancestry’.

A Community of Interest?

The foregoing considerations point to another serious problem in the approach adopted in the National Report. Although it recognises that some services can only be delivered effectively by mainstream agencies, it urges that, wherever possible, Aboriginal organisations should deliver services such as health, legal aid, education and housing to Aborigines, ‘and opposes the mainstreaming of those services’. The justification lies in the difference between the conditions of Aborigines and those of non-Aborigines, in terms of accumulated disadvantage, remoteness of residence¹¹, cultural and historical factors, and because Aborigines ‘have continuously been responding to agendas

10 Such ideas are certainly held by some of those involved in the process of creating Aboriginality. Keffe records the comments of a tutor at an Aboriginal Cultural-awareness Camp: ‘even if you’ve only got one drop of Aboriginal blood, you’re Aboriginal all the way through’.

11 While the geographical distribution of Aborigines is very different from that of non-Aborigines, it should nevertheless be noted that the 1986 Census recorded that almost exactly two-thirds of the Aboriginal population lived in urban centres, that is, those with a population of 1,000 or more. The Northern Territory was the only State or Territory with a majority of Aborigines living in non-urban areas.

determined by others'. But these statements are very difficult to reconcile with other statements in the National Report about the 'extraordinary diversity of contemporary Aboriginal life styles and cultural experience' and the 'intensely local' nature of Aboriginal identities, which 'are often established and defined by the assertion of their differences from others'. For unless we believe that a pan-Aboriginal identity is the dominant and most desirable identity, can we really assume that just because a service is run or staffed by people classified as Aborigines it is somehow more appropriate for all other people classified as Aborigines?

This kind of question is applicable to all levels of Aboriginal organisation, not just those operating on a national or state level. While the notion of 'community-controlled' services seems appealing, on the evidence presented in the National Report itself, it may be very misleading to think of some Aboriginal constituencies as 'communities' in the sense that there is a recognised 'community interest' which can balance or override other interests in appropriate situations. If a 'community' is highly factionalised and one group has been able 'to take over the elections with members of their [sic] own group so that the venture then becomes "theirs"', will 'community-control' result in equitable access? Given the highly politicised nature of Aboriginal health and legal organisations, are they really the best service providers to those Aborigines who may not share, or who may actively oppose, their political stance? Although Aborigines should have the same rights as any other citizens to organise themselves to provide or receive any services as they see fit, the benefits from government-funded services should be available equitably to those whose personal circumstances require or justify such services. There can be little quarrel with the desire to ensure that service providers are sensitive to the individual and cultural needs of clients—which will be far from homogeneous, even in narrowly-defined localities. But this does not mean that it is preferable, either in terms of addressing Aboriginal disadvantage or in terms of encouraging national harmony, for governments to promote and fund the development of separate 'Aboriginal services', rather than mainstream services with suitably trained and chosen staff.

The National Report frequently—and properly—attacks the stereotyping of Aborigines, pointing to the corrosive effects on social relations between people. Unfortunately, it too perpetuates stereotypes. Of course, many of these may have a different content from the ones it is attacking. But others are quite similar. The noble savage

stereotype is questioned in the National Report, but its own portrayal of pre-1788 Aboriginal life is a classic example of the genre, designed to appeal to Western yearnings for community, identity, stability, authority and environmental wisdom. And however the need to tell other Australians about the many Aboriginal success stories is stressed, those recommendations of the Royal Commission which urge special or separate treatment for all Aborigines help to sustain a stereotype that all are disadvantaged in some way merely by being Aborigines.

Racism and 'Institutional Racism'

What is Racism?

The Royal Commissioners would almost certainly respond that there is at least one way in which all Aborigines are disadvantaged: 'racism'. This is a central theme of the report. The National Report argues that 'race relations are at the heart of the over-representation and deaths in custody of Aboriginal people'. It makes frequent reference to the 'pervasive hostility and racism which Aboriginal people have endured', and considers that one of the major findings of the Royal Commission 'has been to identify very clearly that the racism under which Aboriginal people labour is institutionalised and systemic, and resides not just in individuals or in individual institutions but in the relationships between the various institutions'. This view has been accepted by the Government, and accords with the sentiments of many Aborigines and social scientists, who take it as self-evident that Australia is a 'racist society'. Sometimes this is taken to almost ridiculous lengths. Thus an article celebrating the 25th anniversary of the 1967 referendum on Commonwealth powers to legislate for Aborigines quoted the director of the University of NSW Aboriginal Resources and Research Centre as giving the following interpretation to the unprecedented 90.77 per cent 'yes' vote: 'People tend to forget that 10 per cent of white Australia—that is one in every 10 Australians—voted not to give those very basic human rights to Aborigines'.

Two kinds of racism are identified in the National Report. The first kind relates to the attitudes and behaviour of individuals. It is prejudice stemming from 'an ideology that elevates apparent biological differences between human groups to the level of supreme importance'. The differences are explained in ways which 'legitimate relations of inequality', and provide a basis 'for actions that further entrench inequality'. But this ideology 'is usually of little significance unless the person having the prejudice also has some power in relation to the subject of the prejudice'. This statement seems to imply

a rather crude, one-dimensional notion of power. Yet power, the ability to achieve desired goals despite opposition, is an aspect of any social relationship and not the exclusive possession of one group or class. All the parties involved in any social interaction have some degree of power in relation to each other, no matter how great the imbalance. Had this point been accepted, there would have been little justification for the National Report's attempt to circumscribe racism. In other words, all people—Aborigines, white Australians, Asians—have the potential to act on their 'prejudices' or attitudes. Indeed, if they did not have this potential, it would make no sense to talk about Aboriginal 'resistance' to non-Aboriginal society.

The National Report seems to be implying that racism can be manifested by some groups of people but not by others. This is in accord with those radical 'anti-racists' who claim that only the members of dominant ethnic or racial groups can be racist. This is often expressed in the tag 'racism equals prejudice plus power' or one of its close variants. A more sophisticated—though similarly specious—formulation is found in Cowlshaw's work: 'Given that Aborigines are in no position to practise discrimination or even achieve groups [sic] closure against whites ... alleged racism, or hostility expressed towards whites, is better understood as a defensive response.'

In practice, such formulations are a political tactic which enables radicals to lay the blame for racial or ethnic conflict solely on 'whites'. It justifies humbug such as the claim from 'concerned' academics at the University of Michigan that 'behaviour which constitutes racist oppression when engaged in by whites does not have this character when undertaken by people of colour', or a disregard of anti-semitism because Jews are not obviously 'powerless'. In the present case, it would seem to justify the National Report's neglect of an 'oppositional culture' amongst Aborigines, and its willingness to talk of racism as being at least partly the outcome of non-Aboriginal self-interest, while ignoring the possibility that some Aboriginal activists may have a strong interest in sustaining or aggravating hostility towards other Australians. It also allows the acceptance of statements about the desirability of creating or maintaining Aboriginal enclaves that would be outrageous were they to be made about white enclaves.

Defining 'Institutional Racism'

There are more serious problems with the second kind of racism identified in the National Report. This is 'institutional racism', which is said to be 'more significant' than individual racism. It is an outcome of the functioning of social institutions, such as the law, health services, the education system, and so on, irrespective of the personal opinions of the people operating these institutions. The National Report uses a definition taken from an 'anti-racist' handbook. "Institutional racism" is a pattern of distribution of social goods, including power, which regularly and systematically advantages some ethnic and racial groups and disadvantages others. It operates through key institutions: organised social arrangements through which social goods and services are distributed'. It 'permeates and operates through expectations, through everyday behaviour and practices which, while they may not be intentionally racist, are racist in their effects'. The National Report states that contemporary 'institutional racism' is 'more insidious' than individual racism and 'subtle ... not always obvious even to those involved'. In an attempt to elucidate the concept further, it adds 'an institution, having significant dealings with Aboriginal people, which has rules, practices, habits which systematically discriminate against or in some way disadvantage Aboriginal people, is clearly engaging in institutional discrimination or racism'.

The concept of 'institutional racism' first appeared in 1967 in the book *Black Power* by Stokely Carmichael and C.V. Hamilton. As one commentator has written, 'few discussions of race and racism which claim to be radical fail to mention it', as it quickly became 'a way of signalling one's political support for certain interpretations of society' or 'a way of denoting what one was against as much as what one was for'.

'Institutional racism' is a popular concept amongst radical academics and others because it enables them to explain certain developments without recasting the terms of their support for the 'victims' of Western societies, and their criticisms of Western institutions. Racial prejudice against non-Europeans has declined markedly in the years since the Second World War in most Western countries. Its ideological basis has been discredited and any public expression of such prejudice is widely condemned. Laws which discriminated against non-Europeans in Australia and the United States have been repealed, and 'anti-racist' and positive discrimination programmes and

legislation have been introduced. Nevertheless, seemingly intractable problems of poverty, poor health and similar indicators of inequality persist disproportionately among members of minority groups in a number of Western societies, despite massive expenditure directed at these problems. 'Institutional racism' allows people to discount the possibility that there are cultural or structural circumstances within the disadvantaged groups which prevent such programmes from being successful, and which perpetuate disadvantage—or alternatively, that the whole idea behind such programmes is misconceived. It is an attempt to counter explanations which might be seen as 'blaming the victims' in any way.

'Institutional Racism' As a Bogus Concept

Of course, the worth of the concept of 'institutional racism' is independent of the political purposes to which it may have been put. Its value as an explanation must be found in its conceptual clarity and its ability to account for the appropriate evidence in the face of alternative explanations. But in these terms it fares badly, as is obvious from the muddled way in which it is handled in the National Report, and the inability to distinguish it from 'individual racism'.

In the attempts to clarify the concept of 'institutional racism', the National Report provides a number of examples. It refers to the comments of Marcia Langton, an Aboriginal anthropologist who headed the Royal Commission's Aboriginal Issues Unit in the Northern Territory. Ms Langton complained about the non-Aborigines who 'will not criticize or contradict Aboriginal people in educated discussion'. This greatly annoys her. 'It is treating Aboriginal people like children on the assumption that they cannot take criticism'.¹² Such patronising behaviour should be condemned, but it has nothing to do with the operation of any social institutions. It is simply individual racism, occurring within interpersonal relations. Individuals who are unwilling to criticise Aborigines or talk to them in the same way as they would to other people are usually expressing an attitude—whether

12 A nice written example of this kind of condescension from 'anti-racists' occurs in the book *Race and Racism in Australia*: 'Whether Aborigines were created by ancestral beings during the Dreaming, or came to Australia from somewhere overseas, they have been in this country for at least 50,000 years'. Do the authors really think there is any likelihood that the first possibility is true? Would they show the same attitude towards the Biblical account of Genesis? And what are the consequences for the racist notions they are supposedly trying to combat of appearing to accept the possibility that the origins of Aborigines are different from the origins of other humans?

they admit it or not—that Aborigines do not have the same intellectual and emotional capacities as other human beings.¹³

Noting that legislation has made overt racial discrimination illegal, the National Report suggests that Aborigines may be excluded by other means, such as dress codes in hotels, or by requirements for educational standards higher than those necessary for a particular job. These are also 'examples of types of institutional racism'. But if such methods are really being used as a subterfuge to discriminate against Aborigines, the people who adopt them are either racists themselves, or else are responding to the racism of other patrons or employees. Such behaviour is the outcome of individual prejudices, and it occurs only where such prejudices exist. It may affect Aborigines' access to institutions, but it adds nothing to our understanding to call it 'institutional racism' rather than 'covert individual racism'.

The definition given in the National Report clearly indicates that 'institutional racism' is determined by the *outcomes* of social actions, irrespective of the intentions of those carrying them out. If the members of certain racially or ethnically defined groups are being regularly advantaged or disadvantaged in some way, then *ipso facto*, 'institutional racism' exists. This is a common feature in all the definitions of the concept that occur in the literature. But here we see a tactical sleight-of-hand which is crucial to the purposes of those who resort to the concept of 'institutional racism'. It is perfectly legitimate to analyse disadvantage in terms of the consequences of social processes which may not be easily reducible to the simple aggregate of individual intentions. But to refer to such outcomes as 'racism' is to invoke a principle of moral evaluation against one side; a principle which is only appropriate when talking about situations which involve intention, and which obtains its force from the widespread repugnance towards racial discrimination, at least amongst Western opinion leaders. In other words, use of the concept of 'institutional racism' means that blame for the unequal outcomes of complex social processes involving many different participants can always be focused on the most successful groups and the institutions that are supposed to have favoured them.

As Thomas Sowell has observed, this may be an effective tool of political mobilisation, but it leads to absurdities when used in analysis. It would have Malays as the *victims* in Malaysia, because their

13 I would accept that some people have been intimidated into silence by the fear that any critical comments may be misinterpreted as racist.

economic position (measured in terms of indices such as income, occupational levels and business ownership) is substantially less than the position of the Chinese minority. In many European countries, dominant majorities could similarly be designated as victims because their economic performance is, or has been, well below that of the Jewish minorities. And in the United States, Puerto Ricans would have to be considered victims to a greater extent than Japanese Americans, 'who earn higher incomes than whites and about double the average income of Puerto Ricans. Yet history shows far more discrimination—in the non-Orwellian sense—against Japanese Americans'.

The concept of 'institutional racism' precludes an appropriate response to the possibility that unequal outcomes are the result of a group's cultural attitudes interacting with requirements that may be fundamental to the operation of certain institutions. Radical notions of individual autonomy, ceremonial and other social obligations requiring frequent absences from employment, and responsibilities to kin that may conflict with requirements of neutrality are not easily reconcilable with the practices of mainstream institutions such as government departments, police and military services, schools, unions and corporations. Nor are the outcomes of 'oppositional culture'. Cowlishaw acknowledges that these are 'a crucial factor in the re-creation of racial inequality', although she also seems to be suggesting that there would be less of a problem if the outcomes of 'oppositional culture' were seen as political expression rather than individual pathology. She claims that 'Aborigines do not accord the law the legitimacy that even poor or criminal whites do'. Whether or not there is any good evidence which might actually justify such a damaging generalisation, Cowlishaw does not seem to think there is anything untoward about this.

Notwithstanding the claims of some 'anti-racists', including Cowlishaw herself, there are no grounds for saying that the unequal outcomes that may result from such situations represent 'institutional racism', thereby legitimising the one-sided censure of the wider society. Nor is it reasonable to demand that the institutions should make drastic changes to their practices to accommodate all such differences¹⁴, although this is not to say that certain kinds of changes may not be desirable.

14 An anti-racist handbook published by the Human Rights Commission states: 'Those who hold the power, or whose race and culture are validated by the day to day workings of our institutions, are part of the problem.... We must work to change ourselves, and our institutions'. Anti-racism 'questions what is

Certainly the National Report acknowledges that some inequalities may have nothing to do with racism. Thus it states that it is a mistake 'to pretend that because Aboriginal people are disproportionately policed with regard to some laws it must follow that either the laws are unjust or that the policing of those laws is discriminatory'. It further adds 'there seems to be a great reluctance among some commentators to recognize this fact'. These remarks are commendable. However, they are at variance with the definition of 'institutional racism' which was accepted earlier in the report. There is no rationale provided which might enable a disinterested observer to differentiate between unequal outcomes of the kind which the National Report is referring to here, and unequal outcomes which supposedly result from 'institutional racism'. But without such a rationale, the argument is wide open to the charge that any resort to the notion of 'institutional racism' to explain Aboriginal inequality is completely specious.

Even though greater understanding of social processes and reflection on past experiences may increase the ability to foresee and thus avoid some undesired consequences, social policies—and individual actions—will almost invariably have some unanticipated outcomes. But in effect, those who promote the notion of 'institutional racism' are demanding that all the outcomes of policies and actions be known in advance. Thus it is at least arguable that a number of the Royal Commission's recommendations may worsen Aboriginal disadvantage, particularly those recommendations supporting affirmative action, inalienable land tenure, the strengthening of Aboriginal cultural traditions, and opposing the mainstreaming of services. If this turns out to be the case, then, even if all the recommendations were to be followed to the letter and funded accordingly, in the future people may look back on the Royal Commission's work as yet another manifestation of 'institutional racism', and condemn its authors for having abetted such 'racism'. In terms of the definition that has been accepted in the National Report, this would be fully justified.

accepted as right, natural, or normal, for that "commonsense" cements our social arrangements, and dulls us to the functioning of racism and inequality'. The implications of this kind of thinking are far-reaching, presaging an attempt at political and social transformation at least as profound as any we have faced this century.

'Institutional Racism' and Institutionalised Racism

This does not mean that there are no circumstances in which it may be useful to think about racism in institutional terms. A dominant section, or a majority, of the people living in a society, or operating within a particular institution, may hold racist beliefs and attitudes which are given expression in discriminatory laws, regulations or practices. Of course, this has been true in the past in Australia, and is currently the case in some other countries. It is appropriate to describe such situations as 'institutional racism', or more preferably *institutionalised* racism (to distinguish it from the dubious outcome-determined concept). But these laws and practices are the products of racist *intentions*. And referring to such racism as institutionalised implicitly acknowledges the possibility that some people may not share the beliefs and attitudes which have given rise to the discriminatory laws or practices, even though they may still be required to enforce or accede to them.

But the situation in contemporary Australia is very different from what it was in the past. Now, as Senator Peter Walsh has noted, 'the only discriminatory laws which apply in Australia are those which favour—or are intended to favour—Aborigines'. Racist practices directed against Aborigines and other minorities have been made illegal, and influential sections of the media have firmly demonstrated their willingness to give extensive adverse coverage to such practices when they are uncovered. This publicity almost invariably leads to widespread condemnation of those who have engaged in the racist acts. Such developments undermine the potential for those racist attitudes and intentions that still exist on an individual level to find continuing expression in established social practices. In these circumstances, references to the concept of 'institutional racism' and attempts to use it to explain Aboriginal disadvantage are highly suspect and, as I have argued in this section, result in serious conceptual and empirical problems and evasions. It is unfortunate that the Government has seen fit to give legitimacy to such a specious and tendentious exercise by stating that the Aborigines who died in custody 'were victims of entrenched and institutionalised racism and discrimination'.

Racism and Aboriginal Disadvantage

Clearly, the fundamental questions about Aboriginal disadvantage are its causes, how it can best be eliminated, and whether the current approach is likely to improve or aggravate the situation. But first, there are at least three other issues involving the relation between racism and Aboriginal disadvantage that need to be differentiated and considered. The first is the extent of anti-Aboriginal racism within Australia, both in absolute terms and comparatively. The latter encompasses racism or prejudice directed at other minority groups within Australia, and the degree to which Australians are more or less prejudiced towards Aborigines than the people of other countries are towards their minorities. The second issue is the extent to which Aboriginal disadvantage can be explained by past and present racist attitudes and practices. The third issue is how to address whatever racism may currently exist.

Racism in Australia

Comparisons With Other Countries

There can be little quarrel with the observation that racism and ethnic prejudice exist in Australia, as they do in all countries. But we are entitled to ask what standards of comparison are being used when academic journals publish claims from senior researchers that 'within Australian society, racism is a crucial element of daily life, one which is deployed constantly through the media, the arms of the state administration, the practices of individuals and within the knowledge-producing institutions'. Certainly, 'the development of culture-free instruments and theoretical frameworks [to analyse intergroup relations] adequate to handle differing societies and the social processes within them are [sic] formidable tasks'. Even in terms of the single dimension of individual prejudices, considerations such as national

or regional differences in people's willingness openly to express racial attitudes make trustworthy comparisons difficult.

Nevertheless, it is reasonable to demand that those who malign contemporary Australia for its 'racism' should provide examples of countries which manifest greater racial and ethnic tolerance in the policies and practices of government and non-government institutions, as well as in the attitudes of individuals. Perhaps some Scandinavian countries might qualify, although they are much less ethnically diverse than Australia. Yet there seems to be a strong reluctance amongst those who write critically about race relations in Australia to attempt any kind of candid comparative assessment. This is probably related to a phenomenon noted by Stephen Thiele, that many of those writing on Aboriginal issues cannot accept the strong evidence for the decline in what he calls 'white colonial racism' in the past few decades. Such people 'see the very suggestion as disturbing or distasteful'.

The National Report does acknowledge the positive developments in attitudes towards Aborigines. The High Court also seems to accept that there has been a major change: in the leading judgment in the *Mabo* case, one of the justifications given by Justice Brennan for overruling existing authorities and rejecting the doctrine of *terra nullius* was that this would be in accord 'with the contemporary values of the Australian people'.

Surveys of Racial Attitudes

The responses to surveys of racial attitudes inevitably mingle people's notions of what they should do and what they think they will do, both of which can differ markedly from how they may actually behave in various circumstances.¹⁵ The wording of questions, and the contexts in which they are asked, can have a significant influence on the results, and it is not difficult to formulate questionnaires which are more likely to produce one desired outcome rather than another. Nevertheless, professionally conducted surveys can provide at least a broad indication of the attitudes towards different groups and the strength of feelings about the importance of racial identification. At the very least, people's statements can provide insights into the

15 A classic illustration of this point is Richard LaPiere's study. In the early 1930s he accompanied a young Chinese couple in visits to 251 restaurants, hotels and similar businesses across the United States. Service was refused only once. But over 90 per cent of those who responded to a questionnaire around six months later said that they would not accept Chinese as guests or patrons.

public acceptability of certain attitudes, and hence on the wider moral constraints operating in a society.

In contemporary Australia, race seems to be of minor importance in determining people's sense of their own identities. A survey forming part of the Australian Class Project presented fifteen possible sources of identity to a random sample of nearly 1,200 people across the country. Respondents were asked how important each one was in describing how they saw themselves. Race was ranked thirteenth, ahead of political party and trade union. Only 10 per cent said that race was 'very important', and 75 per cent said that it was 'not very important' or 'not at all important'.

In general, attitude surveys produce results that are difficult to reconcile with notions that Aborigines are the targets of widespread racial hostility, or that they are more disliked than members of other racial or ethnic groups. In the 1984-5 National Social Science Survey (NSSS), around 3,000 people aged 18 or older, chosen by random sampling methods from both urban and rural Australia, were asked two questions designed to gauge attitudes towards Aborigines in the context of two common social situations. One question asked whether the respondent would object to a member of the family bringing an Aboriginal friend home to dinner. The other asked how the respondent would feel if a close relative were planning to marry an Aboriginal. The results are set out in Table 1.

Table 1: Social attitudes to Aborigines (per cent)				
		Age		
	Total	18-34	35-54	55+
Aboriginal dining at home				
No objection	91	93	90	87
Mild objection	6	5	7	8
Strong objection	3	2	3	5
Relative marrying Aboriginal				
Not uneasy at all	45	60	41	26
Somewhat uneasy	40	32	43	49
Very uneasy	15	8	16	25

The much greater degree of acceptance amongst the youngest age group—especially with the second question—offers further evidence pointing to the decline of racist attitudes in the past few decades. Presenting these results, Graetz and McAllister comment that they demonstrate that 'most Australians have a high level of tolerance

towards Aboriginals, although few will actually live in areas that bring them into daily contact with them'.

In 1988 the Office of Multicultural Affairs commissioned a study which compared attitudes towards various racial, ethnic and religious groups. A number of samples were surveyed, including one of recent arrivals from non-English speaking countries. A general sample was also chosen, comprising around 1,550 individuals randomly selected to be representative of the Australian population 15 years and over. This sample is the one that is of most relevance to the current discussion.

Respondents were asked questions designed to assess the degree of social distance they felt towards different groups. They were offered seven choices representing an increasing degree of social distance: from whether a person from the specified group would be welcome as a member of the family, to keeping people from the group out of Australia altogether. The percentage of those who would welcome an Aboriginal as a family member (15.8 per cent) was much lower than the percentage of people in the NSSS study who said that they would not be uneasy about a relative marrying an Aboriginal. (Nevertheless, this low figure should be put in perspective. Only 35.8 per cent of the sample said they would welcome a *British* person as a family member, which is also considerably lower than the NSSS figure for *Aborigines*.) There are a number of possible explanations for these differing results, the most probable being the dissimilar formats and contexts of the relevant questions in the two surveys. But the point of greatest interest is that the results showed that people were more tolerant towards *Aborigines* than towards many other groups, including—to name just a few—Jews, Chinese, Yugoslavs, Indians, Lebanese and Vietnamese. In the case of the last four named groups the difference in tolerance was quite marked.

Aboriginal Disadvantage and Racism

The Importance of History

Clearly, the results of surveys such as those discussed above cannot be used to justify complacency about racial tolerance in Australia. Furthermore, as they are national surveys, they may conceal substantial regional variations in prejudice, particularly in areas containing large numbers of *Aborigines* (and the other ethnic/racial groups mentioned). There can be little doubt that many *Aborigines* still

experience unjustified and humiliating discrimination, whether or not this is as widespread as many claim.

Nevertheless, arising out of the foregoing discussion are two points which support the view that, while racism may play some role in maintaining Aboriginal disadvantage in certain areas, it cannot be shown to be the predominant cause. The first point is that, generally speaking, attitudes towards Aborigines seem to have improved over the past few decades—as the differences in responses between age groups in Table 1 suggests—whereas in a number of respects the problems seem to have got worse, at least for substantial sections of the Aboriginal population. As Colin Tatz has asked in relation to the 'crisis of violence to self and to kin' he encountered during his fieldwork among 70 Aboriginal communities across mainland Australia in 1989–90, 'why this response, when on the face of it things can be said to be so much better than they were 30 (certainly 40) years ago?' The second point is that some other groups, including a few who have been in Australia for a long time, appear to be the victims of comparable or worse prejudice without suffering anything like the same degree of economic inequality and other forms of deprivation. Both of these points run counter to the explanations of Aboriginal disadvantage adopted by the Royal Commission and most other commentators.

It would be foolish to think that the current circumstances of any group of people can be understood without reference to their history. Discussions about the 'legacy of history', and recourse to that legacy in attempts to explain contemporary Aboriginal disadvantage are a legitimate and important part of any approach to the problem of examining the underlying issues.

One example of the potential value of historical—and comparative—investigations is Maggie Brady's study of petrol sniffing amongst Aborigines. Although petrol sniffing amongst adolescents and young adults is not nearly as prevalent as alcohol abuse, it is nevertheless a significant contributor to the overall pattern of Aboriginal disadvantage and community crisis in a number of regions, particularly in the Northern Territory, South Australia and Western Australia. But its occurrence is very uneven. In some areas it is a grave problem and is recognised as such; in others it hardly occurs at all. In attempting to account for this distribution, Brady discovered that 'the regions where the cattle industry was, or still is, part of Aboriginal life have a low or non-existent incidence of petrol sniffing'. On the other hand petrol sniffing has taken root in some of the most

'tradition-oriented' communities, as well as communities living on land granted to them under land rights legislation. Yet while many Aborigines are proud of their participation in the cattle industry and the contribution they made to it, the conditions under which they worked have frequently been condemned as 'appalling': cruel, exploitative and discriminatory, with Aboriginal men and women being "'broken in" by pastoralists with hidings and threats of punishment to make them work properly'. Clearly, there was a strong legacy of racism in the pastoral industry, but its consequences are not necessarily what we have been led to expect.

The National Report does refer to Brady's research.¹⁶ It notes her suggestion that the industry gave Aborigines the opportunity to achieve a sense of pride in themselves by carrying out work that was genuinely productive, and which also gave them the chance to continue with certain traditional activities. This is certainly a plausible explanation, although there is no attempt to explore whether or not such considerations require a more complex understanding of the role of racism in creating and sustaining Aboriginal disadvantage. It is also worth noting that the National Report makes no mention of one of Brady's other suggestions that might help to explain the absence of petrol sniffing or the ability to take action to suppress the practice: the internalisation of European values.

The Question of Balance

As an isolated case, such an omission would not necessarily be of much significance. But it is part of a pattern of presentation which seeks to locate the principal source of Aboriginal disadvantage in Australian racism by relentlessly offering example after indicting example, while ignoring or playing down evidence that might suggest the benefits of adopting certain European values or practices. At times this leads to statements that are almost comical in their contortions. For instance, after referring to some Aborigines who have condemned arguments which help to absolve individuals of personal responsibility for alcohol abuse by explaining such abuse in cultural terms, we read that the Royal Commissioner's 'position is straightforward'. But in the reluctance to let go of anything which might weaken the case against Australian society, 'straightforward' is the last word that can be used to describe the presentation:

¹⁶ Although Brady's book was not actually published until 1992, the National Report cites a report with exactly the same title as her book.

It is essential that drinking behaviour and the promotion of drinking be seen and understood in its social and cultural context.... Nevertheless this in no way validates or justifies dangerous drinking [etc.].... I fully agree with those Aboriginal people who insist that Aboriginal people, both as individuals and in groups and organizations, have a deep responsibility to accept that they are accountable for their own actions.... It is not valid to *totally* [my emphasis] externalize responsibility to the broader non-Aboriginal society. On the other hand, whatever view one takes as to the model of causation, the background to dangerous drinking in the Aboriginal community is the history of 200 years.

Perhaps it is superfluous to add that there is no mention that one of the Aboriginal commentators referred to specifically attacked attempts to portray Aboriginal alcoholics as the victims of colonisation.¹⁷

There are a number of other crucial instances in the National Report of a willingness to sacrifice balance and accuracy on the altar of ideology in the account of the foundations of Aboriginal disadvantage. I have already referred to the romanticised portrayal of pre-European Aboriginal life and the spurious assertions about essential Aboriginal characteristics. Another example is the claim that Aborigines 'never voluntarily surrendered their culture and, indeed, fought tooth and nail to preserve it'. But significant numbers of Aborigines did voluntarily abandon their traditional cultures—which is clearly the sense in which the term 'culture' is being used in this context—and some continue to do so. Far more egregious is the statement that 'with the probable exception of those who have elsewhere experienced colonization, no other people in Australia, not even those who have suffered at the hands of and escaped from totalitarian or racist regimes, have shared with Aboriginal people the additional dimension of eviction from their own lands'. This falsehood would be bitterly contested by Australians of Baltic or Ukrainian or Jewish descent, amongst a considerable number of others. One can only wonder at the motivation behind an attempt to portray Nazi Germany or the Soviet Union as rather better in an important respect than Australia.

17 The Northern Territory Aboriginal Issues Unit report, *Too Much Sorry Business*, which was incorporated into the National Report, also argued against 'the popular belief that excessive alcohol abuse is largely a symptom of alienation and dispossession', pointing out that 'many Aboriginal societies in the Northern Territory have never been dispossessed and yet the grog problem is crippling these same Aboriginal people'.

There is something distasteful about resorting to a comparative calculus of suffering. However, the National Report's presentation makes such considerations unavoidable. Certainly, Aborigines have suffered great injustices and violations as a consequence of European settlement (although in the present climate of opinion the fact that they also experienced many acts of humanity and compassion is sometimes overlooked).¹⁸ Unhappily, the wrongs that were committed have no shortage of parallels in human history. As John Carroll has written in a reflection on the growing attempts to use Aboriginal experiences to portray the Australian Legend as one of evil, 'most history is a saga of brutality. In any past there are terrible deeds'. The pre-European Aboriginal past is no exception to this statement, as evidenced by events such as the Irbmangkara massacre, in which over a hundred people are said to have been killed because of a supposed act of sacrilege, just before the white settlement of Aranda territory.

Australia has become the home of many refugees from barbarity, people whose sufferings at the hands of their own governments and their enemies are at least as bad as, if not far worse than, the experiences of Aborigines over the past century. Attempted genocide, concentration camps, deportations and expropriation of land, coerced assimilation with criminal penalties for non-compliance, the forced break-up of families, are all part of the recent personal and historical legacy of these refugees. And as we have already seen, in Australia some of them appear to be the targets of greater prejudice than is directed towards Aborigines.

The removal of Aboriginal children from their families, which the Royal Commission, together with many Aboriginal groups, sees as an important contributor to contemporary social problems, also needs to be placed in perspective. Clearly, it was a highly insensitive and misguided policy. Nevertheless, although the Royal Commission probably does not care to acknowledge the point, sections of 'progressive opinion' concerned with improving Aboriginal welfare criticised governments of the time for not doing more to give Aboriginal children 'a chance'. As the late Sir Paul Hasluck has remarked, 'one of the strongest and most frequent advocates of transferring aboriginal children to foster parents in the south became later one of the strongest and most frequent critics of assimilation'. Given that it was

18 Some humanitarian sentiments and actions are acknowledged in the National Report.

'mixed-race' children who were nearly always the ones removed, the hostile attitude of at least some 'full-blood' Aborigines towards those of mixed race should also be taken into account. And as the public is learning from television programmes such as *Lost Children of the Empire* and *The Leaving of Liverpool* and the subsequent publicity they have generated, such policies were not confined to Aboriginal children. The notion that children who were thought to be neglected or otherwise disadvantaged could be 'given a chance' by placing them in a totally different environment resulted in trauma and the disruption of crucial family bonds for non-Aborigines as well as Aborigines. As a report written in the early 1950s—and aimed at boosting child migration from Britain to Australia—made clear, continuing filial ties were discouraged because the children were believed to have been 'deprived of a normal home life' in the first place.

By making such comparisons, I do not wish to diminish the reality of Aboriginal suffering, or the pain that many Aborigines continue to feel as a consequence of the harshness of their dispossession and the insensitivity that was so often a part of ameliorative programmes. But if we are to understand why disadvantage and social crisis continue to be so prevalent amongst Aborigines, despite all the efforts and resources directed at these problems, it is necessary to consider other groups who have had similar or worse experiences. Why don't these groups seem to suffer from comparable rates of disadvantage? Why do they seem more resilient and less likely to fall prey to self-destructiveness, despite the assaults they have suffered on their self-respect, their identity and their physical selves? The issues that such questions raise require a far more candid approach than the National Report has adopted towards the potential that Aboriginal cultural traditions may or may not offer for adaptation to the modern world, and the structure of incentives provided by the policies of governments and Aboriginal organisations.

Protectionism and Disadvantage

A great problem with the National Report and much other commentary is an unwillingness to acknowledge that aspects of past government policies which are condemned as part of the destructive racist legacy contributing to Aboriginal disadvantage, are also present in currently favoured policies. Like Humpty Dumpty in Lewis Carroll's *Through the Looking Glass*, when such critics use words like 'protec-

tion' or 'assimilation' as terms of disparagement, the words mean just what they choose them to mean.

For instance, it is certainly legitimate to explore the corrosive and counter-productive effects of protection policies, and there can be no quarrel with criticisms of the way Aborigines were treated like children, and subjected to controls experienced by no other Australians. But it also necessary to recognise the protectionist aspects of the inalienability provisions in land rights legislation—provisions which the Royal Commission fully supports. A significant component of the reason for such restrictions on property rights is the notion that Aborigines cannot be trusted to look after their own interests, and so must be protected from their own actions. As Bob Liddle has pointed out, Aborigines are thus prevented from using their land freely 'because paternalists do not think the black man is sufficiently mature to behave responsibly'. Similar comments can be made about the mandatory role of Land Councils under the *Aboriginal Land Rights (NT) Act 1976* and the inability of mining companies to deal with traditional owners on a principal-to-principal basis. These provisions are also supported in the National Report.

At this point it is worth noting that the recent High Court decision on the *Mabo* case, recognising a continuing form of native title in Australia, is even more protectionist. According to Justice Brennan, who prepared the lead judgment, the rights and interests which constitute native title can only be held by the indigenous groups and their descendants or else surrendered to the Crown. Furthermore, these rights and interests cannot 'be acquired by a clan, group or member of the indigenous people unless the acquisition is consistent with the laws and customs of that people'. This would seem to preclude virtually any kind of economic transaction involving land held under native title, including dealings with even an Aboriginal company wishing to develop the land. Although people such as Northern Land Council chairman Galarrwuy Yunupingu are hailing the *Mabo* decision as a breakthrough, it is more likely to be an economic dead-end. There is also a strong component of protectionism in the preferential employment policies that the Royal Commission advocates for Aborigines, recommendations which the Commonwealth and State governments support. There is no consideration that such measures, like the failed protection policies of the past, may be counter-productive, and damaging to the self-esteem of competent individuals who can never be sure whether their success is due to their ability or to their racial identity. This is a particularly notable omission given the

frequently expressed concern in the National Report about the role of poor self-esteem in creating the emotional and other problems that many Aborigines face.

And the unwillingness to criticise contemporary Aboriginal ways without making a fulsome apology and putting as much blame as possible on white society is a sad illustration of Langton's observations, noted earlier, about those who treat Aborigines 'like children on the assumption that they cannot take criticism'. Despite protestations that the message of the National Report is 'Aboriginal people must accept personal responsibility for their own destiny', the dominant theme is 'it is the larger non-Aboriginal community that bears responsibility for the circumstances that give rise to Aboriginal disadvantage'. The importance given to the role of racism is just part of a protective structure of alibis which Aborigines are encouraged to resort to in the event of any failures. Such alibis help to corrode the sense of individual responsibility that is almost certainly a prerequisite to overcoming Aboriginal disadvantage—a point that has been made in relation to the United States situation by black commentators, including Shelby Steele and Thomas Sowell amongst others. Whereas the protectionism of the past openly paraded its notions of Aboriginal incapacity, this new form of protectionism attempts to deny the way in which it too is coloured by at least subconscious assumptions of inferiority.

Assimilationism and Disadvantage

Assimilationism is also subject to very strong criticism in the National Report and most other contemporary writing on Aboriginal issues. The National Report maintains that Aboriginal dignity and self-esteem were seriously undermined by assimilation policies which denied the worth of Aboriginal culture, regarding it as something that did not need to be taken seriously. It states that such policies were an expression of ethnocentrism, which is treated as a form of racism. The report argues that a number of the serious difficulties suffered by contemporary Aborigines are due largely to the social and psychological legacies of the assimilation policy: 'the high levels of involvement of young people in criminal offending, the problematic use of alcohol, self destructive behaviour and interpersonal violence'.

Yet despite a footnote acknowledging Sir Paul Hasluck's complaint that the assimilation policy has often been misrepresented, the

National Report's own portrayal of the policy is yet another instance of such misrepresentation, and is in many respects a travesty. It claims, for instance, that 'Aboriginal women were expected to behave like the idealized advertising images portrayed in contemporary *Women's Weekly*'. And even while accepting that the Commonwealth 'acted in good faith', the report gives serious consideration to the claim that the policy constituted 'genocide'. The Royal Commission actually requested an academic to prepare a report covering the issue. The National Report quotes an extract from this report which says 'it is, at least, arguable that past policies of assimilation, removal of peoples from their lands, and the taking of Aboriginal children from their parents' fall within acts prohibited by the Convention on the Prevention and Punishment of the Crime of Genocide. It also quotes Commissioner Hal Wooten's assertion that 'in its crudest forms the policy of assimilation fell within this modern definition of genocide'.

Certainly, insofar as assimilation policies still enabled Aborigines to be subjected to forms of state surveillance and control not experienced by other Australians, it is legitimate to condemn them. But the National Report has cast its net far wider than this. It criticises a speech made in 1988 by a representative of the Australian government. This speech actually denounced past assimilation practice, stating that 'the erroneous and paternalistic view on which that practice had been based had been replaced by the recognition that Aboriginal people should be treated like anyone else'. Yet according to the National Report, 'the suggestion that Aboriginal people "should be treated like anyone else" could convey meanings very similar to those made pursuant' to the assimilation policy itself. A policy statement given to the Royal Commission by the Queensland Department of Education about providing Aboriginal and Islander children with the confidence 'to act effectively in either the mainstream or the traditional society' is treated in a sneering manner. The National Report takes exception to the Department's specification of areas of essential competence because these give as examples 'standard Australian English' for the language of society, and 'the mathematics of mainstream Australian society' for the measurement system as this approach can lead to 'assimilationist tendencies'. These sentiments are in accord with the views of people such as the Cambridge educationalist Alan Bishop, who sees Western mathematics as 'the secret weapon of cultural imperialism'.

But some of the processes and goals that are fully supported in the National Report are just as much derived from contemporary Western ideals and practices, or the scorned 'Anglo-Australian model', as those that are condemned for being 'assimilationist'.¹⁹ For instance, the National Report stresses the importance of protecting the rights of Aboriginal women in situations of domestic violence, and in access to employment programmes. It also expresses concern that officials and others take into account the range of views that may be present in an Aboriginal community, rather than relying solely on senior men. However much the past may be idealised with questionable claims such as 'in traditional society parallel lines of authority were held by women', the entirely justified concerns about the rights of women cannot be said to reflect traditional Aboriginal values: one reason perhaps why women's 'attitude towards the processes of customary law are, to say the least, ambivalent'.

A further indication of the extent to which the National Report ignores the dependence of its own criticisms on Western or 'Anglo-Australian' cultural values can be seen in the discussion of the Community Development Employment Projects (CDEP). In this programme, incorporated Aboriginal community associations receive a block grant equal to the unemployment benefit which would otherwise have been paid to its members. The association uses this grant to employ the members to work on projects in the community. In practice, this means that where discrete communities are involved in the CDEP, its members will be unable to obtain unemployment benefits independently, and so, unlike other Australians, will have to work for their benefit. Because of this the programme has been criticised. Although the validity of such criticisms is accepted in the National Report, it states that they are 'based on the very European notion of the primacy of individual rights'. And while acknowledging that communities may be an artificial creation, it argues that 'there is still a degree to which individual rights must be abrogated in order to secure the power of collective bargaining'. But it is collective bargaining that represents the 'very European notion'. After all, Eckermann's conclusions about the primacy of individual interests amongst Aborigines seem to have been accepted in the National Report, which twice quotes her observation that 'individuals rarely

19 Sir Paul Hasluck has made a similar point in regard to Aboriginal political and cultural movements.

give up their right of veto', which means that they will disassociate themselves from community ventures of which they disapprove.

If attempts to replace Aboriginal ideas and attitudes with European ones really are a form of 'racism' as the National Report tries to suggest, it is something of which the Royal Commission, and a great many Aboriginal activists, are also guilty. It is disingenuous to write as though it may be possible to overcome the causes of Aboriginal disadvantage without having to adopt a number of 'very European', or 'assimilationist' notions and practices.

Thus, while it is both valid and desirable to examine the past in order to understand the present, the National Report's application of this principle is another matter. Certainly, we cannot pretend that there is one, and only one, 'correct' reading of any particular history. Yet we can demand that key statements are based on facts. We are entitled to expect that claims that specific incidents or practices have played a causative role in creating the present situation will be subject to some kind of comparative or other testing to assess their plausibility. And we can require that concepts and principles of evaluation are not used in an inconsistent or tendentious manner. As I have attempted to demonstrate, the National Report's presentation does not meet these conditions. As a consequence, there are strong grounds for questioning its appraisal about those aspects of past and contemporary practices which may have a significant bearing on Aboriginal disadvantage.

Responding to Racism

The Role of Education

The National Report states that although self-interest and irrationality both play a part in sustaining racist attitudes, the overwhelming factor is ignorance about Aboriginal history and culture. Consequently, the report places considerable emphasis on the role of education in changing such attitudes. It also argues for the value of legislation, as a means both for changing relations between Aborigines and other Australians and for defining the bounds of acceptable behaviour and thereby influencing public attitudes. However, it sensibly cautions against the dangers of using criminal sanctions to punish people who have engaged in racial vilification, but who do not otherwise offend against the criminal law. The Royal Commis-

sion recommends that education and conciliation should be used in such cases.

In general terms, the National Report's suggestions about combating the ignorance of Aboriginal culture and history are unexceptionable. There can be no quarrel that Australians, both adults and children, need to have a better knowledge and understanding of traditional and contemporary Aboriginal life, and the history of relations between various Aboriginal groups and the wider Australian society. The National Report recognises that compulsory Aboriginal studies courses in schools and tertiary institutions would be counter-productive, but correctly adds that school curricula should incorporate Aborigines. It notes that the media can play an important role in presenting a balanced view, by including stories of Aboriginal achievements, and it acknowledges that there have been many positive changes in this regard. And it is right to state that officials who are operating in areas with significant Aboriginal populations should have a sympathetic understanding of the lives of the people with whom they will be working.

The problem lies not in the general principles espoused in the National Report, but in their likely application in classrooms and other settings. It is reasonable to complain that Aborigines usually have been ignored or misrepresented in curriculum materials, although this is clearly changing. But it is also possible to have serious misgivings about the way that many intellectuals are trying to remedy the wrongs of the past. If education is to make a positive contribution towards diminishing whatever racism does exist, it must be based on balanced and plausible depictions of Australian history and contemporary society. Otherwise there is a strong risk that people will react in resentment against what they perceive to be social engineering. Yet as we have seen, the National Report's own account of Aboriginal culture and history and its relation to non-Aboriginal society offers few grounds for optimism that those who denounce the previous distortions can produce frank and evenhanded alternatives themselves. Many of the materials that are currently being used in schools and tertiary institutions are highly tendentious, preoccupied with discrediting Australia. John Carroll has suggested that 'the new history has not been driven by a genuine remorse about the past, nor by a compassion for the Aborigines. It has been driven by the rancorous need to pour scorn on your own: a curse on my house'. In its patronising stance towards both Aborigines and those people who feel that there is much of value in Australia's past and present, such

history is more likely to foster bitterness and division than the sympathetic understanding on which amicable community relations can be based.

Individual and Collectivist Responses

The National Report notes a growing improvement in relations between Aborigines and non-Aborigines at the local level, and refers to a number of examples. But while it criticises attempts to exclude Aborigines from participating in the wider society, it seems to show little interest in considering how harmonious relations can be enhanced by diverse forms of interaction and friendship between individuals across a broad range of activities. For instance, the report is rather equivocal about the results of a survey of Queensland police in which 85 per cent of respondents 'agreed or strongly agreed that Aboriginal people should be encouraged to join local organizations so as to play a part in the life of the town in which they lived'. While recognising that this constitutes 'a positive acceptance of Aboriginal people being part of the community rather than seeking their exclusion', it cautions that perhaps it represents 'an assimilationist notion'.

The National Report suggests that relations between Aborigines and other Australians can be improved by encouraging Aboriginal organisations to play an ever-increasing role in mediating these relations. It specifically addresses the concerns of those people who fear that strong Aboriginal organisations might 'lead to an exacerbation of community relations', and it offers examples of the constructive interactions between Aboriginal local service providers and non-Aboriginal organisations and authorities. But the outcomes will depend on the kind of organisations, and the extent to which they are, or wish to become, all-encompassing, hindering the involvement of Aborigines in relations with other Australians which are not mediated through the prism of Aboriginality.

I have already discussed the role of adversarial themes in strengthening Aboriginality, and the extent to which the resort to the specious notion of 'institutional racism' is likely to justify such themes further. In common with the current policies of governments and most Aboriginal organisations, the whole thrust of the National Report is that the problems of Aboriginal disadvantage are best addressed by political mechanisms which deal with Aborigines in collective rather than individual terms. The question of how this can

be done without reinforcing the kind of stereotyping which lies at the heart of racism is ignored. In the words of the American psychologist Daniel Robinson, 'the essence of racism ... is the rejection of the person; the assimilation of the individual to the collective; the assignment of praise or blame, reward or punishment, respect or contempt on the basis of some real or alleged, or imagined tendency of the collective as a collective'. It is fanciful to think that policies designed to combat racism and assist Aborigines—or any other disadvantaged minorities—by treating them in collective terms, and attempting to strengthen their political power in relation to other collectively defined groups, will achieve their goals. As Chandran Kukathas has pointed out in a thoughtful discussion of individualist and collectivist ideas of community and diversity as they apply to Aborigines: 'much of contemporary social policy betrays the stubborn conviction that politics will accomplish something that it has persistently failed to do'. And, although she writes from a perspective very different from one that Kukathas—or I—would accept, Cowlshaw has also suggested that racism 'is organically connected to processes which have a stated purpose of achieving social equity.... [E]ssentialising racial categories are invoked and reproduced in various bureaucratic and institutional forums, even when the stated intention is to ameliorate racial inequality'.



Aboriginal Cultures and Aboriginal Disadvantage

The Concept of Culture

'Culture', used in the sense of a way of life shared by a group of people, occurs very frequently in popular and learned discussions, not only on Aboriginal matters, but on a wide range of current issues. Although the precise denotation of the term almost certainly varies amongst different users, it is possible to identify a general core of understanding. 'Culture' commonly tends to be seen as something which is *sui generis*, a shared and bounded entity existing over and above, and in some ways independently of, the individuals who live and transmit it. Thus most people find it possible to talk about the 'destruction' or 'loss' of a culture, whether or not any individuals have died. And while the potential for cultural change is usually recognised, the dubious notion that some kinds of changes or innovations are 'authentic' or 'genuine', while others are somehow 'unauthentic', is widespread: particularly in relation to Aborigines and other indigenous peoples. Those who tend to see culture in these terms include not only Westerners, but Third World and indigenous élites for whom such a view 'provides an ideal rhetorical instrument for claims to identity, phrased in opposition to modernity, Westernization or neo-colonialism'.

The popularity of 'culture' owes a great deal to the efforts of American anthropologists such as Franz Boas and Margaret Mead in the early part of this century. They extended the meaning of 'culture' so that it became an endowment of all human beings, rather than being synonymous with 'civilisation'—and so applicable only to some people. The concept of culture was an essential component of their attempts to counter racial or biological explanations of human diversity. While their aims were noble, the concept, both as it has developed in anthropology and as it has come to be used in everyday discussion, is beset with problems. People do not seem to recognise

that 'culture' is not a 'real thing', but an intellectual construct produced by scholars attempting to delimit extremely complex, diverse and imperfectly understood phenomena whose interrelationships are the subject of considerable debate. In a critical discussion of current formulations, Roger Keesing has noted that even anthropologists, who do know better, often 'talk as if "a culture" was an agent that could *do* things; or as if "a culture" was a collectivity of *people*.... [O]ur common ways of talk channel our thoughts in these directions'.

'Culture' is a central concept for anthropology, but there are substantial differences among contemporary anthropologists as to the content and nature of what it is that they are referring to by the term. They disagree about its causal primacy in explaining human behaviour—the extent to which it is completely arbitrary, or subject to constraints of human biology and the environment. Some stress its shared, systematic and integrated aspects, using language as the model; others find the analogy of language dangerously misleading. 'Culture' can cover both patterns of observed behaviour and its material products, as well as the knowledge, beliefs, values and acquired dispositions which at least influence that behaviour and are in turn influenced by it. The concept encompasses the ways in which people classify their world in order to make sense of it; the relations they may posit between themselves and variously defined others, the natural environment and the unseen world; their expectations and evaluations of these relations. But the nature of the relationship between a 'culture' and the lived experience of the individuals who utilise, modify, create and transmit it is very problematic. And some anthropologists have observed that the discipline has a vested interest in exaggerating cultural diversity and celebrating the exotic. They warn of the difficulty of identifying discrete 'cultures' even in the past, let alone in a world in which communications and trade have a global reach.

There is little point in reviewing or attempting to resolve such matters here, other than to note that they highlight the deficiencies in common understandings and usages of 'culture' as they occur in discussions about Aboriginal matters or multiculturalism. But it is necessary to bring into the open some of the implications flowing from such notions of culture, and to consider whether people are unwittingly adopting positions which may lead them in rather different directions from those they anticipate.

Two quite dissimilar and inconsistent views about culture and cultural integration can be identified in different parts of the National

Report. On the one hand, the report utilises a reified, essentialist view of 'Aboriginal culture'—which is almost invariably used in the singular form—as 'radically other'. Culture is destiny: there are certain elements which are necessary constituents of Aboriginal cultures, and these cannot be set aside or co-exist with elements of non-Aboriginal cultures without potentially grave consequences. It presents the maintenance of 'Aboriginal culture' as being intimately bound up with an individual's sense of identity and self-esteem. These points should be clear from some of the statements I have already noted, such as the claims about the 'source of Aboriginal being'. They are also exemplified by remarks about matters such as education. Although the National Report recognises that schooling is important if Aborigines are to have greater control over their lives, it also states that it is 'almost inevitably assimilationist in the sense of providing Aboriginal people with ideas, attitudes and values which are not derived from their own culture'.

On the other hand, the way that the National Report presents some of its arguments suggests a view of culture as a kind of supermarket, in which any cultural elements can freely co-exist with any other. This is apparent in an unwillingness to go beyond the most superficial level in asking whether or not the goals of overcoming disadvantage in terms of such matters as health and poverty may be incompatible with certain Aboriginal behaviours and values. On the rare occasions that such issues are raised, their ramifications are barely considered, especially if they could lead to critical comment about negative aspects of Aboriginal cultures that cannot be explained away by the destruction of indigenous social controls due to colonialism and racism. The main reason for the unwillingness to explore these crucial questions appears to lie in the cultural relativism which pervades the National Report.

Cultural Relativism

The National Report contends that it is illegitimate to suggest that some cultures, traditions or values may be more desirable or appropriate than others. It even attempts to portray such suggestions as racist. We are told that 'there must be a complete rejection of concepts of superiority and inferiority' in regard to Aboriginal cultures, as though it were not possible to distinguish the moral worth and identity of an individual human being from the cultural traditions which may shape a person's life and help—or hinder—adaptation to

the world. As Roger Sandall noted in an early critical commentary on the growth of this kind of confusion amongst those involved with developing Aboriginal policies: when people make the mistake of considering it 'as an inseparable part of the individual, as an intrinsic feature of his identity, then logic and morality insist that culture be placed beyond the reach of evaluation'.

Nevertheless, the cultural relativism of the National Report is not even rigorous. Thus, while suggestions that Aborigines might need to 'change their attitudes' are 'misguided', and attempts to replace their ideas and beliefs with European ones are 'ethnocentric', it stresses the importance of critically scrutinising and changing the culture of the police. And the National Report shows little hesitation in disparaging what it presents as mainstream Australian culture. It is Australian history and culture that must be questioned. Of course, no consideration is given to the extent to which this questioning will invariably have to depend on Western ideas such as human rights and codes of morality which are supposed to apply to all human beings, rather than just to kin or countrymen.

These kinds of inconsistencies characterise a great deal of the current discussions about Aboriginal cultures and their relations with other cultures. There are a number of possible explanations for this situation, although these explanations do not necessarily exclude one another. The incongruities may simply be an expression of the muddled thinking of those who participate in these discussions. They may be due to a fear of offending particular interests, particularly given the readiness of some to denounce those who dissent from current orthodoxies as 'bigots' or 'racists'. Alternatively, they may result from the desire to promote the substantial political separation or independence of Aborigines from the rest of Australia, together with the belief that it is not wise or opportune to express this desire or its implications too candidly at present. Or they may stem from a deep aversion to supposed Western values which are unfavourably contrasted to supposed Aboriginal values, such as attitudes to material goods or the environment. (Yet these contrasts often involve caricatures. Jon Altman, for instance, has written about the apparently unlimited wants for material goods among contemporary Aborigines. And there is a growing literature which criticises the depiction of Aborigines as natural conservationists, and which points out that such portrayals reveal far more about European fantasies than they do about Aborigines.)

Aborigines and Christianity

The most revealing expression of the attitudes towards Aboriginal and Western cultures is the National Report's treatment—or rather its lack of treatment—of Christianity. Of all the silences in the report, this is perhaps the most egregious, and it makes a mockery of the complaints about the marginalisation of Aboriginal points of view in Australian society and the Royal Commission's recommendations to correct this situation. In the 2,000-plus pages of the National Report, Christianity rates only a single paragraph, in the chapter 'Some aspects of Aboriginal society today'. Although it states 'the importance of Christianity in many communities as one of the principal agents of control in relation to alcohol should not be underestimated', underestimating is precisely what the National Report does. There is no mention of Christianity in any other part of the report, other than the occasional strong condemnation of attempts to convert Aborigines to 'European ... religious beliefs'. This is despite the fact that two whole chapters, and significant sections of others, are devoted to the discussion of the problems caused by alcohol and other drugs, and strategies for dealing with these problems. These discussions do include reference to alcohol treatment programmes incorporating traditional elements and indigenous healers, and the National Report states that such programmes 'are now well developed overseas, especially in Canada and the USA'. Yet as Joan Weibel-Orlando, an American anthropologist specialising in the study of alcohol abuse, has recently admitted, claims about the effectiveness of traditional healers are based not on any long-term systematic observations, but rather on a scholarly bias that elevates indigenous techniques and approaches. Anthropologists, she notes, 'are hooked on healing'.

The anthropological bias towards what Keesing has termed 'radical Otherness', has resulted in a situation where Aboriginal involvement with Christianity remains a neglected subject. Some years ago, in the course of discussing reviewers of the book *You Are What You Make Yourself To Be* who were dismissive of the Christianity of the Aboriginal author and his family, the late Dianne Barwick commented sharply:

Academics are rarely scornful about indigenous (or Jewish) religious beliefs. These are exotic, ethnic and acceptable. Christian beliefs are not accorded equivalent respect as cultural markers. The acceptance of Christian religion by Aboriginal communities is either

ignored or lamented by anthropologists and historians. No other aspect of Aboriginal life has been so deliberately unexamined.

These comments could be applied just as validly to the National Report. Yet in the 1986 Census, of the 227,000 people who identified themselves as Aborigines or Torres Strait Islanders, over 150,000 said they were Christians, as against 10,000 of 'other religion', 27,000 who said they had no religion and 36,000 who did not answer the question on religion.

Although there is a growing scholarly interest in the role of Christianity in overcoming alcohol and drug abuse and other social problems amongst Aborigines, the hostility that many anthropologists have for missionaries and Christianity as 'destroyers of local culture' persists. Tim Rowse, reviewing one of the most recent academic studies of an Aboriginal community, *Whitefella Comin'*, voices a suspicion that David Trigger, the book's author,

is himself unsympathetic to evangelical Christianity and that this helps him to identify the missionaries' moral discourse as a disabling one for Aboriginal people to adopt. It is therefore a pity that he has so little to say about alcohol, its abuse and the part that Christian teaching plays (if it plays any part) in helping some Aboriginal people to stay sober.... [H]e could have singled out alcohol as the politically disabling commodity *par excellence*, and so considered Christianity in more than one light.

Somewhat ironically, Trigger himself has criticised H.C. Coombs and his co-researchers on the East Kimberley Impact Assessment Project for virtually ignoring the Aboriginal Christians who condemn Aboriginal traditions. The NT Aboriginal Issues Unit document *Too Much Sorry Business*, which was incorporated into the National Report, similarly neglected the positive potential of Christianity—while making very strong criticisms of missionaries.

It is difficult to explain these silences other than in ideological terms. Unfortunately, within the framework that many commentators have adopted, Christianity has little place—especially an evangelical Christianity which calls for the abandonment of traditional practices and the adoption of certain Western values. The fact that in many cases this Christianity has been largely generated from within Aboriginal communities themselves does not seem to matter. Commitment to the 'radical Otherness' of Aborigines seems too strong, despite the National Report's own comments about the diversity of Aboriginal life, or its acknowledgement 'that there are new ways of being Aboriginal'. While condemning those who wish that Abori-

gines would 'stop being culturally distinctive', it seems unwilling to grant Aborigines who are 'culturally distinct' from an imagined model of Aboriginality the same presence it gives to others.

One does not have to be a Christian to observe that a universalist religion may provide the spiritual and moral resources which can increase an individual's sense of worth and offer an enhanced and more open basis on which people can relate to each other. For instance, Lynne Hume has described the transformative power of 'born again' Christianity in the North Queensland community in which she carried out research. She notes how it has helped to place 'Aboriginal people in control over the direction of their own lives', providing them with a new sense of purpose and creative involvement in both religious and secular activities. Quite properly, the National Report presents revitalisation and self-esteem as very important issues in addressing many of the personal and social problems Aborigines may face. But it shows no interest in how individuals' self-esteem may be strengthened or communities revitalised by Christianity, confining its enthusiasm to the role of Aboriginal organisations and traditional cultures.

The Revitalisation of Traditional Aboriginal Cultures

The National Report does acknowledge that there are strong tensions between conflicting principles within Aboriginal cultures, such as those between local attachments and broader loyalties, and between the value placed on personal autonomy and the obligations arising out of individuals' relations with others. Of course, in most cultures there are tensions between different, though equally regarded, principles as the report seems to recognise. It accepts that the tension between autonomy and relatedness 'underlies much of the violence in communities', and some of the discussion of this issue—which is based on a range of anthropological research—is valuable.

But like so much else in the National Report, the discussion is vitiated by an obvious unwillingness to make any critical assessment of Aboriginal cultural values and practices unless ultimate blame can be placed on the wider Australian society. Thus the report makes a number of references to the destruction or undermining of indigenous mechanisms of social control, as though these mechanisms might have been able to provide realistic solutions to the contemporary problems that Aborigines may face. It also states that 'at times Aboriginal culture has been unable to deal with some negative

aspects of the broader culture simply because they were unknown to Aboriginal people before contact. But societies adapt, cultures are revitalized.'

Certainly, societies can adapt to changing circumstances, as a result of both internal innovations or modifications and the adoption of new ideas, practices and institutions from outside (although if the attitude towards 'assimilation' manifested in the National Report were to be applied rigorously—which of course it is not, as I have already shown—it would preclude adaptation through the latter process). But, because cultures or societies are not homeostatic systems, automatically moving toward both internal consistency and optimum relations with their external environment, there are no guarantees that the changes will not result in even more serious problems, or that they will be beneficial to most people. Thus, although traditional cultures have been revived over the past two decades, partly as a consequence of the land rights movement and legislation, at least some of the problems faced by Aborigines seem to have worsened over the same period—as I have already noted. A similar situation exists in New Zealand: although a Maori 'renaissance' has developed since the 1970s, as one scholar has recently noted, 'in terms of employment, income, child health, education and justice', the Maori, relative to white New Zealanders, 'are no better off than in the 1970s, and often they are worse off'.

Obviously, such correlations do not necessarily imply causal links. But as some kind of causal relationship in the opposite direction is frequently suggested—in other words, that the revival and efflorescence of traditional cultures will help to overcome disadvantage—the possible links do need to be considered. The fact that, traditionally, Aborigines did not develop mechanisms which allowed more than a few dozen people to be incorporated into a social and political community is seen as a virtue by some Westerners. But this and other similarly admired characteristics—such as the comparative egalitarianism and the embedding of all social relations within a structure of kinship obligations and values—affect other aspects of life. While the connections between the different elements of a group's culture and social behaviour may not be rigidly determinate, neither are they completely arbitrary and autonomous. Certain values and practices may preclude the attainment of desired standards of health, material welfare, personal security and so on. This is fully recognised by governments and interest groups in regards to the wider society: if it were not there would be no point in

the campaigns designed to change public attitudes and values in order to improve health, environmental management, community relations, gender equality, or productivity. Unfortunately, however, such commonsense recognition turns to obtuseness when it comes to the values of other cultures. It is only the culture or cultures of middle Australia that seem to need changing.

Traditional Cultures and Personal Responsibility

The potentially harmful links between aspects of traditional cultures and Aboriginal welfare can be illustrated by considering the way in which responsibility for particular kinds of occurrences may be imputed or allocated. Many traditionally oriented Aborigines may blame certain misfortunes such as accidents, illnesses or deaths—which Europeans would explain as due to chance or natural causes—on the malevolent actions of others, and attempt to discover the culprits. The National Report states that this is a political and moral process which should not be seen 'as an exotic survival of ancient beliefs', but as both 'a search for meaning' and as a means of social control by which 'imbalances' caused by wrong actions can be sanctioned. It also notes that the question of sorcery came up in two of the deaths investigated by the Royal Commission.²⁰ But this is the total extent of the discussion of sorcery, and the report immediately goes on to talk about the undermining of traditional methods of social control.

While differences in beliefs about aetiology might not preclude Aborigines from utilising Western medical services to *cure* diseases, the key to better Aboriginal health depends more on preventive than on curative services, as the National Report acknowledges. But preventive programmes directed against alcohol and other drugs, at improving public health, or at reducing motor vehicle accidents,

20 Christopher Anderson's account of the man who died at Wujal Wujal, one of the few cases to receive independent comment from a researcher familiar with the community, suggests that from the Aboriginal perspective, the question of sorcery may have been involved more frequently. Thus, he found that while everyone accepted that the man concerned had hung himself, people interpreted the death in one of three ways: human intervention, most frequently in the form of someone proffering the football socks which the man used for his suicide, the action of spirits, or sorcery which muddled the victim's mind, causing him to do something that he would not have done otherwise. But there is no mention of sorcery in the Royal Commission's report on the death, even though Anderson played an important role in the inquiry. There are other important differences between the official account and that of Anderson, with the latter throwing considerably more light on the underlying issues.

depend for their success on an understanding of the causes of disease or accidents that is very different from the notions inherent in a sorcery or spirit theory of misfortune. One cannot get around this problem by suggesting that 'an important component of increased cultural awareness should be a recognition of potential differences in understandings of health and disease aetiology', or by recommending 'complementary roles for traditional healers and western trained doctors'. Theories have consequences for the behaviour of those who accept them. The available evidence suggests that people who believe in sorcery are less likely to see the point in changing their habits along lines recommended by preventive programmes than people who do not believe, particularly when these changes may require sacrifices or difficult adjustments in their relations with others.²¹ As Grayson Gerrard has noted, basing her comments on research in Arnhem Land:

If someone dies driving drunk along the Darwin road then that is because, perhaps a year or even longer ago, the person was the victim of sorcery, and his assailant made him die on the Darwin road (he might have been killed in a fight also, or had a heart attack). In such an aetiology of misfortune, there is simply no room for such a concept as 'a dangerous drug'.

Gerrard further notes that although people recognise that some petrol-sniffers or alcohol-drinkers have become ill and died, they also know of many others who have not suffered from serious effects. The explanation for the different outcomes is that those who suffered harm were the victims of sorcery, whereas those who survived were not. So it is not the substance itself that is intrinsically dangerous. Maggie Brady has made a similar point specifically in relation to petrol-sniffing.

The National Report's anodyne account of traditional beliefs about the allocation of responsibility ignores other potentially baneful effects. People's ability to invoke sorcery as a full or partial explanation for certain kinds of events tends to corrode a sense of personal responsibility. The report does seem to acknowledge, if only grudgingly, that individuals need to take responsibility for their own

21 Certainly, as David Trigger argues, there may be some parallels between traditional beliefs in sorcery and Christian converts' beliefs in the Devil as the source of evil in the world, although the expected consequences may be different, with the Christians stressing what will occur *after* death. In general, other elements of the Christians' beliefs and orientations will probably make them more amenable to following the counsel of preventive programmes.

actions if conditions are to be improved²², even though, as I have already argued, this recognition is vitiated by the frequent resort to alibis such as 'institutional racism'. The belief that people can be harmed by the ability of others to manipulate the supernatural also fosters a climate of distrust which undermines the capacity for effective co-operation outside narrowly defined kin or country groups.

More generally, the question of whether people can really 'take control of their lives' in the modern world while maintaining a traditionalist orientation needs to be confronted. Can people achieve their aspirations for individual and social efficacy without some commitment to the Western liberal virtues, such as a strong sense of personal responsibility and self-control, or a capacity to trust and co-operate productively with non-kin and strangers, or an ability to take advantage of new opportunities without being 'brought back into place' as a 'high flyer'? To what extent can these virtues co-exist with traditional values and dispositions—or the values of the 'oppositional culture'? How can they be fostered when people scoff at values such as the 'western work ethic' because it was encouraged under the assimilation policy?

Certainly, in practice the answers to these kinds of questions may turn out to be more complex than might initially be thought. And I would not suggest that such questions are currently relevant to all people who identify themselves as Aborigines. I accept the implications of the National Report's observations about 'the extraordinary diversity of Aboriginal life styles and cultural experience', even if these implications are not properly recognised in the report itself. Nevertheless, questions such as these cannot be avoided in any analysis that is genuinely concerned with addressing Aboriginal disadvantage, as opposed to analysis which serves as the vehicle for expressing the author's rancour towards Australian institutions and society.

This does not mean that governments should resort to the kinds of coercive measures used in the past, which were predicated on notions that Aborigines were inferior to other Australians and therefore required special treatment. Aborigines should have the same rights as all citizens to choose any kind of life that they wish to lead

22 I say 'grudgingly' because, in places where the role of personal responsibility is accepted, the wording or context tends to blur the line between individual and collective or external responsibility. And when the National Report talks about 'self-determination' it does not seem to be referring to an individual 'self', a matter I will be discussing below.

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that is compatible with the requirements of a lawful society. But the possibility that certain kinds of choices will undermine the ability to achieve certain goals must be recognised and, where appropriate, the apparent tradeoffs canvassed openly and honestly. Governments and many Aboriginal organisations may have to acknowledge the demoralising effects of encouraging people to believe that they can achieve contradictory goals, and current enthusiasms and the existing structure of incentives may need to be reconsidered.

Self-Determination

An Evolving Concept?

The importance of self-determination as the process which will allow the 'empowerment of Aboriginal people ... runs through the whole of [the National Report] and informs a great majority of the recommendations'. The report states that self-determination is an evolving concept and that there is no commonly accepted definition. Nevertheless it claims that there is wide agreement that at its core the concept involves Aborigines making 'many of the decisions affecting their lives and [bringing] parties to meaningful negotiations about others'. Quoting from the 1990 House of Representatives Standing Committee report, *Our Future, Our Selves*, the National Report states that self-determination includes Aboriginal control 'over the ultimate decisions about a wide range of matters including political status, and economic, social and cultural development', and Aborigines 'having the *resources* [its emphasis] and capacity to control the future of their own communities'. The report suggests that the question of whether self-determination might involve some form of self-government or independent state is open. It notes that while the Standing Committee stated that decisions would have to be taken 'within the legal structure common to all Australians', some Aboriginal groups refused to rule out the creation of an independent state. So it suggests that 'if the demand far exceeds what governments and the broader community are prepared to accept as appropriate then so will be set the ambit for negotiation or determination of the issue'.

The National Report does acknowledge the tensions between the notions, often invoked by activists and governments, of a national pan-Aboriginality with specifically definable interests, and the highly localised identifications common to many Aborigines. It stresses the importance of creating flexible local government and community arrangements as a means of putting the principles of self-determination into practice, and offers a number of successful examples. The report further notes that government attempts to implement policies

of self-determination and to obtain 'the Aboriginal viewpoint' can be counterproductive, placing considerable burdens on Aboriginal communities. But it also accepts that the concept of 'community'—implying some sense of identification, solidarity and common interest—is inappropriate to many Aboriginal settlements, which were artificially created and which may comprise people from a large number of separate and mutually antagonistic groups.

Yet there seems to be an unwillingness to work through the implications of these realisations. The Royal Commission places great faith in Aboriginal organisations as the major means of achieving self-determination and urges that governments provide them with adequate funding and resources. Certainly, from the perspective of a society as a whole, the existence of a wide range of voluntary associations is a positive sign, particularly when these associations draw their membership from sections or groups that might otherwise be structurally opposed. They sustain the domain of autonomous, self-organised activity independent of local custom or state control that is often called 'civil society', and whose existence seems to be a prerequisite for achieving the rights and freedoms to which most people in the modern world, including Aborigines, aspire.

Regional and national Aboriginal organisations can help to break down the tensions that may exist between people from hostile local groups. Yet insofar as they provide a channel through which otherwise unavailable resources are obtained from outside, they may also exacerbate these tensions, as particular groups or factions capture the resources provided by government or other agencies. Their very substantial reliance on external funding, no matter how this may be structured, means that their success and survival depends more on their power and influence *vis-à-vis* other groups in a competition for resources than on the commitment of their members. This is the point that Margaret Valadian seems to be making in her complaint that 'today in the Aboriginal community nothing gets done that isn't paid for. The concept of volunteerism has disappeared and I think also the concept of hope and vision has disappeared'. The Royal Commission's recommendation that certain kinds of 'volunteers' be remunerated, suggests insensitivity to the importance of this point.

The 'Self' in Self-Determination

The question of what kind of 'self', 'self-determination' refers to cannot be evaded, particularly given the evidence about the primacy of

individual interests, the relative flexibility of affiliation to local groups, and the diversity of contemporary life-styles and aspirations amongst Aborigines. It is individuals who have to 'take control of their lives', who suffer, or do not suffer, low self-esteem, poor health, problems of drug abuse, or who inflict violence on others. It is individuals who make choices about their identifications and life-styles, and it is the quality of the relations between constituent individuals that makes or mars a community. Certainly, these characteristics are influenced by external and structural factors which may be very difficult for individuals to control. But to the extent that such factors are emphasised in public discussions—as they certainly are in the National Report and most other work dealing with Aboriginal disadvantage—the incentives for individuals to assume responsibility for those aspects of their lives that they can control are reduced. Shelby Steele's comments about the situation of blacks in America also have applicability to Aborigines:

[O]ur victimization itself has been our primary source of power in society—the basis of our demands for redress. The paradoxical result of relying on this source of power is that it rewards us for continuing to see ourselves as victims of a racist society and implies that opportunity itself is something to be given instead of taken. This ... generates a victimized self image, curbs individualism and initiative, diminishes our sense of possibility, and contributes to our demoralization and inertia. Uplift can only come when many millions of blacks seize the possibilities inside the sphere of their personal lives and use them to move themselves forward.

Conclusion

As I made clear in the introduction, my primary concerns have been to point to the shortcomings in the current wisdom about the causes of Aboriginal disadvantage, and to contribute to the opening up of discussion on an issue that I believe is of fundamental importance to all Australians. I concentrated on the National Report of the Royal Commission into Aboriginal Deaths in Custody because it is the most comprehensive expression of conventional thinking about Aboriginal disadvantage amongst those working on the issue, and because it is clearly becoming constitutive of official thinking. Policies based on an incorrect understanding of the causes of the problems they are meant to be addressing are most unlikely to be successful. Unfortunately, the failures of the Royal Commission's analysis—its inconsistencies, its dubious assumptions, its silences—reflect a more widespread intellectual malaise in public discussion of Aboriginal issues.

Towards an Alternative Approach

Throughout the two centuries of European settlement in Australia, one principle has remained intact: the administrative and legislative dichotomy between Aborigines and non-Aborigines. This dichotomy legitimates and fosters an approach in which people are encouraged to see themselves as members of groups with a collective entitlement to resources obtainable in political competition with members of other groups. It bolsters stereotypes, and weakens the forces deriving from other social and cultural developments that would undermine prejudice. It provides incentives for maintaining and strengthening boundaries which might otherwise be blurred or corroded as a consequence of individuals choosing to take advantage of the social and economic opportunities that a free and comparatively tolerant society could provide. Ameliorative policies formulated in terms of this dichotomy tend to benefit those least in need of assistance, while the

most disadvantaged remain largely unaffected or become even worse off—as has also happened with affirmative action programmes directed at minorities in the United States and elsewhere. It sustains a system whose logic inclines towards the accentuation and multiplication of grievances, not their resolution. To think that some kind of lasting and meaningful 'reconciliation' can arise out of this system is to display a considerable degree of historical and sociological naïvety.

In the report on the underlying issues in Western Australia, a quotation written two decades ago by the late Elizabeth Eggleston is used as the headpiece for one of the chapters: 'Only when the social and economic status of Aborigines has been raised to a level comparable with that of the majority of the community, will it be possible to abolish all preferential legislation conferring on them a special legal status.' The disappointing results of the well-intentioned programmes and the substantial expenditure in the intervening period suggest that it is the converse that will be true: only when the special legal status of Aborigines is abolished will it be possible properly to address the problems of Aboriginal disadvantage. Governments should move towards dismantling the whole structure of 'Aboriginal' policies, departments and institutions. Statutes and regulations should not distinguish Aborigines from other Australians, just as other previously disadvantaged groups like Chinese, or the descendants of Irish convicts are not distinguished. This involves an end to the collectivist approach: in Kukathas's words, policies should be directed at enabling 'individuals to become independent economic and legal agents able to play a part in the life of their community'.

This does not mean a return to the policy of assimilation, other than in the broadest sense of meeting the conditions necessary for living in an ordered society under the rule of law. Rather, it means recognising the rights of individual Aborigines to make effective choices about the cultural practices which will shape their lives. For some, this may involve a traditionally-oriented life centred on an outstation, or recording and writing about Aboriginal legends and art; for others it may involve research on artificial intelligence, or studying the history of ancient Greece. It is a measure of the limiting stereotypes encouraged by current incentives and expectations that the latter alternatives so often seem to be thought of as less appropriate than the former. (Thus the experience of Duane Ross, an Aboriginal at the University of New England: 'When I started here at uni,

I'd say I was doing history and people would automatically say, "Aboriginal history?" and it just got to me'.)

Clearly, the debilitating conditions under which many Aborigines live ensure that their ability to make effective choices about their lives is considerably less than that of most other Australians. There can be no question about the rights of these people to receive assistance designed to help overcome their disadvantage. I am not necessarily advocating that governments reduce their expenditure on programmes directed at improving health, employment, education and housing; indeed, there may be grounds for substantially increasing expenditure on some programmes. But such programmes need to be targeted towards *disadvantaged* people, rather than Aborigines as a group. They also need to be sensitive to the dangers of creating counterproductive incentives and directed at assisting individuals to achieve the levels of health, competence and responsibility necessary to move away from a situation of dependency.

Nor would an end to specifically Aboriginal policies see an end to any of the local, regional or national organisations which Aborigines may wish to maintain. Rather it would mean that decisions about possible government funding to such organisations, should this be thought desirable because of services they may provide, would be made independently of their Aboriginal status. It would not preclude recognition and protection for Aboriginal sites of religious or historical significance, just as sites of significance to other Australians are recognised and protected. Nor would it mean that Aborigines could not obtain property rights over parcels of land to which they have cultural or historical ties—although any such rights should be based on the presumption that their holders are responsible adults, and the title granted should be able to accommodate possible future changes in group composition and people's interests and aspirations. In other words, the rights should not be inalienable.

Unfortunately, there are few grounds for optimism that change along the lines suggested in this monograph is likely to take place in the near future. The report of the Royal Commission itself, the establishment of the Council for Aboriginal Reconciliation, and the High Court decision on the *Mabo* case are all moves in the opposite direction. Too many people with influence over the direction of Aboriginal affairs have an interest—economic, political, psychological—in maintaining the *status quo*. Aboriginal suffering is a valuable 'resource' that can be colonised by a wide range of individuals for their own ends. And notwithstanding frequent claims to the contrary, few of

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them are in the corporate world. After all, when Bob Hawke made his ill-advised 1987 election promise to end child poverty by 1990, it was social workers who suffered anxiety attacks, not business people.

References

Page and paragraph are given in the first column with page first. Footnotes are preceded by 'f'. Thus 1:2 means page 1, paragraph 2, and 2:f2 means page 2, footnote 2.

References to the National Report are listed as NR, followed by the volume number; e.g. NR 2.

- 1:2 **1986 Census data:** NR 2, page 385.
Situation deteriorating: see e.g. 'Constitution should recognise us: ATSIC head', *Canberra Times*, 21 May 1992; C. Tatz, 'Aboriginal violence: a return to pessimism', *Australian Journal of Social Issues*, November 1990; M. Valadian, 'Australian Aborigines in the 1990s', *The Sydney Papers*, Autumn/Winter 1990; J. Waterford, 'Sound ideas buried under a mountain of words', *Canberra Times*, 10 May 1991.
- 2:1 **Australian racial tolerance:** Graham Lloyd, 'ABC "erred in showing video"', *The Australian*, 17 March 1992; Brian Woodley, 'We're a good model for S. Africa: ANC', *The Australian*, 3 April 1992.
- 2:2 **Dominant position:** see e.g. *The First Step*, Aboriginal and Torres Strait Islander Commission, March 1992.
- 2:3 **Exceptions:** see e.g. M. Valadian *op. cit.*; J. Moriarty, 'Time to start again', *The Bulletin*, 9 July 1991; Bob Liddle, 'Aborigines are Australian, too', in Ken Baker (ed.), *A Treaty with the Aborigines?*, IPA Policy Issues number 7, 1988; G. Blainey, 'The Gunyah lifestyle: poor health and no books', *Independent Monthly*, June 1991; P. McGuinness, 'History has been cruel, but Aborigines can help themselves', *The Australian*, 18 March 1992; 'Turn back the pages of history

and erase a generation of error', *The Australian*, 27 May 1992; David Pollard, *Give and Take: The Losing Partnership in Aboriginal Poverty*, Hale & Iremonger, 1988, and 'Ending Aboriginal poverty', *Policy*, volume 7, number 1, 1991. Clearly, however, these writers do not necessarily agree with one another in their analyses or in their proposed solutions.

- 2:f2 **Quotation from ACIL study:** *Aboriginal Population and Spending*, 1991, page 27.
- 2:3/3:1 **U.S. discussions:** Many works could be cited to support this contention, although it was less true in the period from the late 1960s (following the controversy over the Moynihan Report on the black family) until the mid-1980s. The 'political correctness' movement in the United States may also make it less true in the future. See e.g. Charles Murray, *Losing Ground*, Basic Books, 1984; William Julius Wilson, *The Truly Disadvantaged: The Inner City, the Underclass, and Public Policy*, University of Chicago Press, 1987; Peter Collier and David Horowitz (eds), *Second Thoughts About Race in America*, Madison Books, 1991.
- 3:2 **Narrowing of discussion:** For evidence to support these claims and Hiatt's comments see Ron Brunton, 'Can anthropologists be believed?', *IPA Review*, volume 45, number 1, 1992. Dodson's remarks were reported by Mark Brolly, 'Sell out and be ostracised, blacks warned', *The Age*, 27 June 1988. For further examples see Francesca Merlan, 'Gender in Aboriginal social life: a review', in R.M. Berndt and R. Tonkinson (eds), *Social Anthropology and Australian Aboriginal Studies: A Contemporary Overview*, Aboriginal Studies Press, 1988, page 35; Eric Michaels, 'The last of the nomads, the last of the ethnographies or "all anthropologists are liars"', *Mankind*, volume 17, 1987, page 44; *Australian Anthropological Society Newsletter*, number 50, 1992, page 12.
- 3:3,4 **Quotation about Criminology unit:** David Biles and David McDonald (eds), *Deaths in Custody Australia, 1980-1989*, Australian Institute of Criminology, 1992, page v.

- 4:2 **Royal Commission invoked:** See e.g. Jim Della-Giacoma and Deanie Carbon, 'PM blames whites for black malaise', *The Australian*, 11 December 1992; Peter Wilson, 'Tickner to consider land rights tribunal', *The Australian*, 30 November 1992; '\$240m to promote Aboriginal education', *The Australian*, 28 September 1992; 'Reject call, Tickner tells WA', *Canberra Times*, 14 September 1992.
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Sentiment echoed: ATSIC, *op. cit.*, page 33.
States accepting recommendations: *Aboriginal Deaths in Custody: Response by Governments to the Royal Commission*, 1992, 3 volumes.
- 5:1 **Quotation about underlying issues:** NR 5, page 158.
- 5:2 **Causes of death:** NR 1, page 76.
Quotations about custodial defects: NR 1, page 3.
- 5:3 **Acceptance of finding:** NR 1, page 189.
- 5:f3 **Use of term 'Aboriginal people':** NR 1, page 31.
- 6:1 **Quotation about deaths outside custody:** NR 3, page 60.
- 6:2 **Aboriginal death rates:** NR 1, pages 224-5.
Death rates in other countries: See e.g. Suzanne E. Hatty and John R. Walker, *A National Study of Deaths in Australian Prisons*, Australian Institute of Criminology, 1986.
Racism 'a central experience': NR 2, page 153.
Quotation about current circumstances: NR 2, page 1.
- 7:2 **Commissioner Muirhead:** NR 5, page 159.
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- 7:3 **Aborigines as 'problem':** NR 2, page 186.
Attention to successes: NR 2, pages 163-4.
- 7:f5 **Cost excluding States' contribution:** Gillian Cowlshaw, 'Inquiring into Aboriginal deaths in custody: the limits of a Royal Commission', *Journal for Social Justice Studies*, Volume 4, July 1991, page 110.

- 8:1 **Individualism, etc. acknowledged:** e.g. NR 2, pages 84, 87, 136, 470, 534–5.
 'Ethnogenesis': See Delmos J. Jones and Jacquetta Hill-Burnett, 'The political context of ethnogenesis: an Australian example', in M. C. Howard (ed.), *Aboriginal Power in Australian Society*, University of Queensland Press, 1982.
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 Dangers of ideology: e.g. NR 2, pages 195, 467; NR 4, pages 24, 36, 285.
- 9:2 **Definition:** Australian Department of Aboriginal Affairs, Constitutional Section, *Report on a Review of the Administration of the Working Definition of Aboriginal and Torres Strait Islander*, 1981, page 8.
- 9:3 **Uncertainty about race:** NR 2, pages 143–5.
- 9:4 **'Continuing aggression':** NR 2, page 131.
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- 10:1 **Census figures and identity:** John Gardiner-Garden, *Aboriginality and Aboriginal Rights in Australia*, Parliamentary Research Service Background Paper, number 12, 1992, page 40.
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- 10:2 **Coercive constructions:** NR 2, pages 136–7.
 Quotation from Jordan: *Op. cit.*, page 29. See also Kenneth Maddock on the Croker Island 'half-castes', *Your Land is Our Land*, Penguin, 1983, page 80; Myrna Ewart Tonkinson, 'Is it in the blood? Australian Aboriginal identity', in Jocelyn Linnekin and Lin Poyer (eds), *Cultural Identity and Ethnicity in the Pacific*, University of Hawaii Press, 1990, pages 193–204; David S. Trigger, 'Racial ideologies in Australia's Gulf Country', *Ethnic and Racial Studies*, volume 12, 1989.

- 10: f6 **Quotation from Sykes:** 'There may be more Aborigines than many whites care to admit', *Sydney Morning Herald*, 22 February 1989.
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- 10:2/11:1 **Quotations about Tiwi:** C.W.M. Hart and Arnold R. Pilling, 'The Tiwi of North Australia', in George and Louise Spindler (eds), *Cultures Around the World: Five Cases*, Holt, Rinehart and Winston, 1977, page 18.
- 11:1 **Quotation about Warlpiri:** M.J. Meggitt, *Desert People*, Sydney, Angus and Robertson, 1962, page 43.
- 11:2 **Quotations from Cowlshaw:** 'Aborigines and anthropologists', *op. cit.*, page 10; 'The materials for identity construction', in Jeremy Beckett (ed.), *Past and Present: The Construction of Aboriginality*, Aboriginal Studies Press, 1988, page 103; see also her book *Black, White or Brindle*, Cambridge University Press, 1988, especially pages 231-47.
Quotations about alternative ways: NR 2, pages 91-2.
- 11:3 **Quotation about culture clash:** NR 2, page 145.
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- 11:f7 **Pre-British Aboriginal society:** NR 2, pages 6-8.
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- 11:3/12:1 **Cowlshaw's work for Royal Commission:** 'Inquiring into Aboriginal deaths in custody', *op. cit.*, page 101.
- 12:1 **Opposition to 'other':** see e.g. Kevin Keefe, 'Aboriginality: Resistance and Persistence', *Australian Aboriginal Studies*, 1988, number 1; Jones and Hill-Burnett, *op. cit.*, page 233; Stephen Thiele, 'Taking a sociological approach to Europeaness (Whiteness) and Aboriginality (Blackness)', *The Australian Journal of Anthropology*, volume 2, 1991,

- (Special Issue number 2); Michael Banton, 'Mixed motives and the processes of rationalization', *Ethnic and Racial Studies*, volume 8, 1985, page 546. Note also the observation reported to have been made by the Chief Rabbi of the Commonwealth that 'we sometimes need [anti-semitism] to boost our identity', Sigrid Kirk, 'Anti-semitism makes us feel Jewish, says top rabbi', *Sydney Morning Herald*, 12 March 1992.
- 12:2, f8 **Statutory declaration about Willmot:** Terry Lane, *Hobby-horses*, ABC Books, 1990, page 133.
Media stories: e.g. Jim Della-Giacoma, 'School head wants change, not big bucks', *The Australian*, 21 February 1992.
Majurey: Robert Garran, 'When is a Maori an Aborigine? QC must decide', *The Age*, 15 December 1987. On issues of identification see also e.g. Cowlshaw, *Black, White or Brindle*, *op. cit.*, pages 108-9; NR 2, pages 134-6.
- 13:2 **Question of inclusion and exclusion:** Frank Lewins also makes this point in 'Theoretical and political implications of the dynamic approach to Aboriginality', *The Australian Journal of Anthropology*, volume 2, 1991 (Special Issue number 2), page 177.
Criticisms of non-Aboriginals: See e.g. NR 2, pages 153-62, 184, 194; NR 4, page 124.
Failures of existing policies: See e.g. David Pollard, 'Ending Aboriginal poverty', *op. cit.*
- 13:3 **Quotations about 'distinct people':** NR 1, page xix.
Quotations about diversity: NR 2, pages 65, 26.
- 14:2 **Social scientists' views:** See e.g. Tonkinson, *op. cit.*; Jeremy Beckett, *op. cit.*; Malcolm Crick, 'Aboriginal self-management organizations, cultural identity and the modification of exchange', *Canberra Anthropologist*, volume 4, 1981; Ian Keen (ed.), *Being Black: Aboriginal Cultures in 'Settled' Australia*, Aboriginal Studies Press, 1988.
Quotation that Aboriginal people form group: NR 4, page 70.
Quotation about 'tarbrush': NR 2, page 143.
- 14:3 **Problems with Aboriginality:** For an excellent recent discussion of the inconsistencies and conceptual confusions

- in the way 'Aboriginality' tends to be handled by social scientists and others involved in 'Aboriginal Studies', see Thiele, *op. cit.*
- 14:3 (cont'd) **Quotation about original owners:** NR 2, page 166.
Quotation about Aboriginal being: NR 2, page 91.
Quotation about spiritual relationship: NR 2, page 482.
- 14:f9 **Quotation:** NR 2, page 133.
- 15:1 **Non-uniformity of experience:** See e.g. Bob Reece's criticisms of attempts to create a national Aboriginal historiography, 'Inventing Aborigines', *Aboriginal History*, volume 11, 1987.
Quotation about indigenous dispossession: NR 1, page xix.
Quotation from Jordan: Deirdre F. Jordan, 'Aboriginal identity: uses of the past, problems for the future', in J. Beckett, *op. cit.*, page 129.
- 15:2 **Recognition about mainstream services:** NR 4, page 25.
Quotation opposing mainstreaming: NR 1, page 24.
- 15:f10 **Quotation from Keefe:** *op. cit.*, page 69.
- 15:f11 **Geographical distribution:** NR 1, page 37.
- 15:2/16:1 **Quotation about agendas:** NR 4, page 24.
- 16:1 **Quotation about diversity:** NR 2, page 65.
Quotations about local nature of identities: NR 2, page 470.
- 16:2 **'Community' misleading:** see e.g. NR 2, pages 458, 535; NR 4, page 432.
Quotation about group taking over: A.-K. Eckermann, 'Culture vacuum or cultural vitality?', *Australian Aboriginal Studies*, number 1, 1988, page 35. See also e.g. Pollard, *Give and Take*, *op. cit.*, pages 70-75, 105-6; Christopher Anderson, 'Deaths in custody: Kuku-Yalanji and the state', *Social Analysis*, number 31, 1992, especially pages 6-10.
Politicised organisations: NR 2, page 537.
- 16:2/17:1 **Stereotype questioned:** NR 1, page 22.
- 17:1 **Pre-1788 life:** NR 2, pages 6-8.

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- 17:1 (cont'd) **Dangers of special treatment:** Cf. Lewins' comments about 'the risk of governments giving legitimacy to the confounding of Aboriginality and cultural inferiority', *op. cit.*, page 177.
- 19:1 **Quotation about race relations:** NR 2, page 154.
Quotation about hostility: NR 2, page 356.
Quotation about major findings: NR 4, page 124.
Government acceptance: Tickner, *op. cit.*
Sentiments of Aborigines and social scientists: E.g. 'Racism is a living force which is deeply embedded in Australian culture and institutions ... all Australians are touched by it' (Keith McConnochie, David Hollinsworth and Jan Pettman, *Race and Racism in Australia*, Social Science Press, 1988, page 243). For just two of the numerous other comparable examples, see Julie Marcus, 'Bicentenary follies', *Anthropology Today*, volume 4, number 3, 1988; Nira Yuval-Davis, 'Ethnic/racial divisions and the nation in Britain and Australia', *Capital and Class*, number 28, 1986.
Quotation about 1967 referendum: Gary Hughes, '25 down', *The Australian*, 27 May 1992.
- 19:2 **Quotations about racism:** NR 2, page 156.
- 20:1 **Power:** See e.g. Anthony Giddens, *Central Problems in Social Theory*, Macmillan, 1979, pages 88–94.
Aboriginal resistance: See e.g. NR 2, pages 4, 42, 92.
- 20:2 **'Racism equals...':** See e.g. Paul Gilroy, 'The end of anti-racism', *New Community*, volume 17, 1990, page 80; Jonathan Savery, 'Anti-racism as witchcraft', *Salisbury Review*, volume 3, number 4, 1985; B. Chambers and J. Pettman (eds), *Anti-racism: A Handbook for Adult Educators*, Canberra, Human Rights Commission, 1986, pages 7–8.
Quotation from Cowlshaw: *Black, White or Brindle*, *op. cit.*, 1988, page 263.
- 20:3 **Quotation from 'concerned' academics:** Dinesh D'Souza, *Illiberal Education*, Free Press, 1991, page 138.
Anti-semitism: Geoffrey Short, 'Combating anti-semitism: a dilemma for anti-racist education', *British Journal of Educational Studies*, volume 39, 1991.

- 20:3 (cont'd) **Racism and self-interest:** E.g. NR 2, page 164; NR 4, page 54.
Aboriginal enclaves: E.g. NR 2, page 438; NR 4, page 384.
- 21:1 **'Institutional racism' more significant:** NR 2, page 156.
'Anti-racist' handbook: B. Chambers and J. Pettman, *op. cit.*
'Institutional racism' defined: NR 2, page 156.
'Institutional racism' insidious: NR 4, page 54.
'Institutional racism' subtle: NR 2, page 160.
Quotation attempting further elucidation: NR 2, page 161.
- 21:2 **Quotations about 'institutional racism':** Jenny Williams, 'Redefining institutional racism', *Ethnic and Racial Studies*, volume 8, 1985, pages 323, 328.
- 22:1 **Special programs misconceived:** See e.g. Thomas Sowell, "'Affirmative action": a worldwide disaster', *Commentary*, volume 38, number 6, 1989.
- 22:3 **Quotations about Langton:** NR 2, page 162.
Individual racism: Cf. Williams, *op. cit.*, pages 331-2.
- 22: f12 **Condescending quotation:** McConnochie, Hollinsworth, and Pettman, *op. cit.*, page 53.
- 23:2 **Examples of 'institutional racism':** NR 2, page 162.
- 23:3 **Common feature of definitions:** Williams, *op. cit.*, page 330. See also B. Chambers and J. Pettman, *op. cit.*, page 9, 'It is important to emphasise consequences rather than intentions'.
Principle of moral evaluation: Antony Flew, 'Three concepts of racism', *Salisbury Review*, volume 5, number 1, 1986.
- 24:1 **Quotation from Sowell:** Thomas Sowell "'Racial discrimination": intellectual definition or political slogan?', *Ethnic and Racial Studies*, volume 9, 1986, page 537.
- 24:2 **Individual autonomy:** NR 2, pages 84-8.
Ceremonial obligations: NR 2, pages 412-3.
Responsibilities to kin: NR 2, pages 534-6.
Quotations from Cowlshaw: 'Where is racism?', *Journal for Social Justice Studies*, volume 3, 1990, page 58.

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- 24/25:f14 **Quotations:** B. Chambers and J. Pettman, *op. cit.*, pages 10, 20.
- 25:1 **Quotations that disproportionate policing not 'institutional racism':** NR 2, page 196.
- 26:2 **Quotation from Walsh:** 'Guilt trend could cost all Australians', *Australian Financial Review*, 16 June 1992.
Quotation from Government: Tickner, *op. cit.*, page 1473.
- 27:2 **Quotation about Australian racism:** Julie Marcus, 'Under the eye of the law', *Journal for Social Justice Studies*, volume 4, July 1991, page 119. The author is now Professor-elect of Social Anthropology at Charles Sturt University.
Quotation about theoretical frameworks: G. Kinloch, 'Comparative race and ethnic relations', *International Journal of Comparative Sociology*, volume 22, 1981, page 257.
- 28:2 **Quotation from Thiele:** *Op. cit.*, page 188.
- 28:3 **Positive developments:** E.g. NR 2, page 163-4; NR 4, pages 55-8, 75-6.
Quotation from Brennan: *Mabo v. The State of Queensland*, High Court Registry published Judgements F.C. 92/104, page 30.
- 28:f15 **LaPiere's study:** I.A. Lewis and William Schneider, 'Is the public lying to the pollsters?', *Public Opinion*, April/ May 1982, page 46.
- 29:2 **Australian Class Project survey:** Michael Emmison and Mark Western, 'Social class and social identity: a comment on Marshall *et al.*', *Sociology*, volume 24, number 2, 1990. Ethnic background ranked fifth, behind family group member, Australian, occupation, and gender. When people were asked to identify the three most important sources of identity, race appeared to be of even less significance. Ethnic background also fared poorly in this second question, with only 10 per cent listing it as one of their three choices.
- 29:3 **NSSS survey:** Brian Graetz and Ian McAllister, *Dimensions of Australian Society*, Macmillan, 1988, pages 112-3.
- 29:4/30:1 **Quotation from Graetz and McAllister:** *ibid.*

- 30:2/3 **OMA survey:** Office of Multicultural Affairs, *Issues in Multicultural Australia, 1988: Frequency Tables*, Social Science Data Archives, Australian National University, April 1989; Ian McAllister and Rhonda Moore, *Ethnic Prejudice in Australian Society: Patterns, Intensity and Explanations*, Office of Multicultural Affairs, July 1989.
- 31:2 **Quotations from Tatz:** *Op. cit.*, pages 245, 252. See also the references in the Introduction to others who complain about the deteriorating situation.
- 31:3 **Legacy of history:** E.g. NR 2, pages 3–47, 510–34.
Legacy of history and disadvantage: E.g. NR 2, pages 66–78, 115, 194, 377.
- 31:4 **Quotation from Brady:** Maggie Brady, *Heavy Metal: The Social Meaning of Petrol Sniffing in Australia*, Aboriginal Studies Press, 1992, page 192.
- 32:1 **Appalling conditions:** NR 2, page 398.
Hidings and threats: Brady, *op. cit.*, page 186.
- 32:2 **Brady's suggestion noted:** NR 2, page 399.
Brady's other suggestion: Brady, *op. cit.*, pages 164–6, 186–7.
- 32:3 **Position 'straightforward':** NR 2, page 322.
- 32:f16 **Brady's report cited:** NR 2, page 423.
- 33:1 **Quotation:** *Ibid.*
- 33:2 **Aboriginal alcoholics not victims:** Brady, *op. cit.*, pages 1–2.
- 33:3 **Quotation that culture not voluntarily surrendered:** NR 1, 19.
Evidence that culture voluntarily surrendered: See e.g. Eric Kolig, 'Post-contact religious movements in Australian Aboriginal society', *Anthropos*, volume 82, 1987, page 255; W.E.H. Stanner, *White man got no dreaming*, ANU Press, 1979, pages 46–49; John Stanton, 'Mt Margaret', in T. Swain and D.B. Rose (eds), *Aboriginal Australians and Christian Missions*, Australian Association for the Study of Religions, 1988, pages 303–4.
Quotation about totalitarian regimes: NR 2, page 502.

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- 33:3 (cont'd) **Evidence that statement false:** For the Soviet Union see e.g. Robert Conquest, *The Nation Killers: The Soviet Deportation of Nationalities*, Macmillan, 1970; Aleksandr M. Nekrich, *The Punished Peoples*, W.W. Norton, 1978 (translated by George Saunders).
- 33:f17 **Quotations:** NR 5, page 302.
- 34:1 **Quotation from Carroll:** 'The Australian way of life', in John Carroll (ed.), *Intruders in the Bush*, second edition, Oxford University Press, 1992, page 239.
Irbmangkara massacre: T.G.H. Strehlow, *Journey to Horse-shoe Bend*, Angus and Robertson, 1969, pages 36–42.
- 34:3 **Removal of children and social problems:** NR 2, pages 72–7, 513–4.
Quotation from Hasluck: Paul Hasluck, *Shades of Darkness: Aboriginal Affairs 1925–1965*, Melbourne University Press, 1988, page 122.
- 34: f18 **Humanitarian actions acknowledged:** E.g. NR 2, pages 16, 19, 25.
- 35:1 **Hostility to mixed-race Aborigines:** See e.g. Hasluck, *op. cit.*, page 69; David Trigger, *Whitefella Comin': Aboriginal Responses to Colonialism in Northern Australia*, Cambridge University Press, 1992, page 41; and the references to the works by Maddock, Tonkinson, and Trigger listed under 10:2.
Report on child migration: John Moss, *Child Migration to Australia*, London, Home Office, 1953, page 4.
- 35:2 **Assaults on self-respect, etc.:** Cf. e.g. NR 2, pages 49, 297.
- 36:2 **Corrosive effects of protection:** E.g. NR 2, pages 35–41, 157–8.
Support for inalienable land title: NR 5, page 48–9, Recommendations 336, 338.
Quotation from Liddle: *Op. cit.*, page 14.
Support for other protectionist provisions: NR 5, page 50.
- 36:3 **Quotation from Brennan:** *Mabo, op. cit.*, page 49. Cf. also the joint views of Justices Deane and Gaudron on these matters, page 101.

- 36:3 (cont'd) **Yunupingu's views:** David Nason, 'Land Council delivers Tickner snub', *The Australian*, 26 October 1992.
Mabo decision as dead end: See Peter Durack, Ron Brunton and Tony Rutherford, *Mabo and After*, IPA Current Issues, November 1992.
Preferential employment policies: E.g. NR 4, 384–8; *Aboriginal Deaths in Custody: Response by Governments to the Royal Commission*, 1992, volume 3, pages 1154–68.
Damaging to self-esteem: See e.g. Lance W. Roberts, 'Understanding affirmative action', in W.E. Block and M.A. Walker (eds), *Discrimination, Affirmative Action and Equal Opportunity*, The Fraser Institute, 1982, especially pages 160–1.
- 37:1 **Role of poor self-esteem:** E.g. NR 4, page 304; NR 5, page 52.
- 37:2 **Langton's observations:** NR 2, page 162.
Quotation about personal responsibility: NR 2, page 235.
Quotation showing dominant theme: NR 2, page 194.
Comments on U.S. situation: See e.g. Shelby Steele, 'Ghettoized by black unity', *Harper's Magazine*, May 1990; Thomas Sowell, 'Affirmative action', *op. cit.*; Fredrick Robinson, 'My second thoughts', in Peter Collier and David Horowitz (eds), *op. cit.*
- 37:3 **Assimilation denying worth of culture:** E.g. NR 2, page 351; NR 3, page 153.
Ethnocentrism: NR 4, page 54.
Quotation about legacies of assimilation: NR 4, page 2.
- 37:4 **Footnote to Hasluck:** NR 2, page 565.
Hasluck's complaint: *Op. cit.*, especially pages 125–41.
- 38:1 **'Women's Weekly' quotation:** NR 2, page 512.
Quotation about 'good faith': NR 5, page 34.
Quotation from report on assimilation and 'genocide': NR 5, page 34. It is worth reading Hasluck's comments, which include extracts from documents he wrote at the time, on the Commonwealth's implementation of the assimilation policy, *op. cit.*
Quotation from Wooten: NR 5, page 33.
- 38:2 **Assimilation and state control:** E.g. NR 2, pages 510–14.

- 38:2 (cont'd) **Quotation from speech and comment:** NR 5, page 32.
Quotation from policy statement and comments: NR 4, page 307.
Bishop's views: 'Western mathematics: the secret weapon of cultural imperialism', *Race and Class*, volume 32, 1990.
- 39:1 **'Anglo-Australian model':** NR 2, page 158.
Domestic violence: NR 3, page 88.
Women in employment programs: NR 4, page 435.
Range of views in community: NR 4, page 96.
Quotation about women's authority: NR 4, page 96, cf. NR 2, page 7. These claims are probably based on Dianne Bell's book *Daughters of the Dreaming*. For criticisms of Bell's work, from a perspective not unsympathetic to her feminist concerns, see Merlan, *op. cit.*, especially pages 26–30; Annette Hamilton, 'Daughters of the imaginary', *Canberra Anthropology*, volume 9, number 2, 1986, especially pages 8–15. For a marxist perspective on the position of women in traditional Aboriginal societies see John Bern, 'Ideology and domination: towards a reconstruction of Australian Aboriginal social formation', *Oceania*, volume 50, 1979.
Quotation about attitudes to customary law: NR 2, page 109.
- 39:2 **CDEP program:** NR 4, page 425.
Quotation about European notion of rights: NR 4, page 430.
Quotation about collective bargaining: NR 4, page 431.
- 39:f19 **Hasluck's point:** *Op. cit.*, pages 139–41.
- 39:2/40:1 **Quoting of Eckerman:** NR 2, pages 87, 535.
Eckerman's observation: *Op. cit.*, page 35.
- 40:2 **Form of racism:** NR 4, page 54.
- 40:4 **Ignorance and racism:** NR 4, pages 53–5.
- 40:4/41:1 **Racial vilification:** NR 4, pages 62–75.
- 41:2 **School curricula and Aborigines:** NR 4, page 57; see also page 308.
Officials need understanding: E.g. NR 1, page 26; NR 3, page 325.

- 41:3 **Changing curriculum materials:** See e.g. Cliff Cranfield, 'History as an incomplete mosaic', *Education Monitor*, volume 3, number 2, 1992.
Tendentious material: See e.g. John Hirst, Tim Duncan and Ken Baker, 'The rewriting of Australian history', *IPA Review*, December/February 1989; John Hirst, 'Australia's absurd history: a critique of multiculturalism', *Overland*, February 1990.
Quotation from Carroll: *Op. cit.*, pages 239–40.
- 42:2 **Improving relations:** E.g. NR 4, pages 45–50, 75–6.
Criticises exclusion: E.g. NR 2, pages 177–8.
Quotations about police survey: NR 2, page 215.
- 42:3 **Quotation about community relations:** NR 1, page 24.
Examples of constructive interactions: E.g. NR 2, pages 167–170; NR 4, page 84.
- 43:1 **Quotation from Robinson:** 'Races and persons', in Symposium: 'Racism: shall we overcome?', *The World and I*, February 1992, page 497.
Quotation from Kukathas: *The Fraternal Conceit*, Centre for Independent Studies, Occasional Papers 33, 1991, page 18.
Quotation from Cowlshaw: 'Where is racism?' *op. cit.*, page 49.
- 45:1 **Destruction or loss of culture:** E.g. NR 1, page 11; NR 4, page 346.
Quotation about indigenous views of culture: Roger Keesing, 'Theories of culture revisited', *Canberra Anthropology*, volume 13, 1990, page 48. See also e.g. Jane Jacobs, 'The Construction of Identity'; Tim Rowse, 'Middle Australia and the noble savage: a political romance', in *Past and Present*, *op. cit.*; Jocelyn Linnekin, 'On the theory and politics of cultural construction in the Pacific', *Oceania*, volume 62, 1992. It is also worth noting the Resource Assessment Commission's comments that Jawoyn interpretations that linked newly-discovered minerals to a Creator being were 'the result of processes of a genuinely Aboriginal kind [my emphasis]', *Kakadu Conservation Zone Inquiry Final Report*, volume 1, page 156.

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- 45:2 **Culture and racial explanations:** See e.g. Derek Freeman, *Margaret Mead and Samoa*, ANU Press, 1983, especially Part 1.
- 46:1 **Quotation from Keesing:** *Op. cit.*, page 48.
- 46:2 **Concept of culture:** A massive literature exists on these issues. For a very small sample from a wide range of perspectives see e.g. Bruce Kapferer, 'Foreword', and Diane Austin-Broos, 'Introduction' in D. Austin-Broos (ed.), *Creating Culture*, Allen and Unwin, 1987; Derek Freeman, *Paradigms in Collision*, Research School of Pacific Studies ANU, 1992; Joel Kahn, 'The "culture" in multiculturalism', *Meanjin*, volume 50, number 1, 1991; Roger Keesing, *op. cit.*, and 'Theories of culture', *Annual Review of Anthropology*, volume 3, 1974; Elvi Whittaker, 'Culture: the reification under siege', *Studies in Symbolic Interaction*, volume 13, 1992.
- 47:1 **'Radically other':** Cf. Keesing, 'Theories of culture revisited', *op. cit.*
Culture and identity: E.g. NR 2, pages 72, 138–40; NR 3, page 153.
Source of being: NR 2, page 91.
Quotation about schooling: NR 4, page 300.
- 47:2 **Issues raised, ramifications barely considered:** E.g. NR 2, pages 354, 359, 412–3.
- 47:3 **Suggestions portrayed as racist:** E.g. NR 4, page 54.
Quotation about superiority and inferiority: NR 5, page 57.
Identity and cultural traditions: E.g. NR 2, page 138.
- 48:1 **Quotation from Sandall:** 'Aborigines, cattle stations and culture—a commentary on policies and goals', *Mankind*, volume 9, 1973, page 5.
- 48:2 **Quotations about misguided suggestions:** NR 2, page 234.
Ethnocentric attempts: NR 4, page 54.
Scrutinising police culture: NR 2, pages 208–13.
Questioning Australian culture: E.g. NR 4, page 57.

- 48:2 (cont'd) **Dependence on Western ideas:** See e.g. Richard Mulgan, 'Should indigenous peoples have special rights?', *Orbis*, Summer 1989.
- 48:3 **Altman's observations:** 'Comment on "Beyond "The original affluent society""', *Current Anthropology*, volume 33, 1992, page 36.
Aborigines and conservation: See e.g. Christopher Anderson, 'Aborigines and conservationism: the Daintree-Bloomfield road', *Australian Journal of Social Issues*, August 1989; Lee Sackett, 'Promoting primitivism: conservationist depictions of Aboriginal Australians', *The Australian Journal of Anthropology*, volume 2, 1991, (Special Issue number 2).
- 49:1 **Complaints about marginalisation:** E.g. NR 2, page 183; NR 4, pages 304-9, Recommendations 291, 292.
Quotation about importance of Christianity: NR 2, page 108.
Condemnation of conversion attempts: NR 4, page 54; see also e.g. NR 1, page 9.
Alcohol and drugs: NR Chapters 15 & 32; also e.g. NR 3, pages 160-1; NR 4, pages 87-90.
Quotation about overseas programs: NR 4, page 289.
Quotation from Weibel-Orlando: 'Hooked on healing: anthropologists, alcohol and intervention', *Human Organization*, volume 48, 1989, page 149.
- 49:2 **Quotation from Keesing:** *Op. cit.*, page 46.
- 49:3/50:1 **Quotation from Barwick:** 'Writing Aboriginal history: comments on a book and its reviewers', *Canberra Anthropology*, volume 4, number 2, 1981, page 82. See also Howard Morphy, 'The resurrection of the hydra: twenty-five years of research on Aboriginal religion', in *Social Anthropology and Aboriginal Studies, op. cit.*, pages 257-8.
- 50:2 **Census figures:** Australian Bureau of Statistics, *Australia's Aboriginal and Torres Strait Islander People*, Canberra, 1991, page 43.
- 50:3 **Scholarly interest:** E.g. Brady, *op. cit.*, 113-21; Lynne Hume, 'Christianity full circle', in Swain and Rose, *op. cit.*;

- Robert Tonkinson, *The Mardu Aborigines*, Holt, Rinehart and Winston, 1991, 2nd edition, pages 172–3.
- 50:4 **Quotation from Rowse:** 'Aboriginal interests are difficult to identify', *Australian Book Review*, May 1992, page 13. For a valuable discussion of anthropologists' hostility towards missionaries see Sjaak van der Geest, 'Anthropologists and missionaries: brothers under the skin', *Man* (N.S.) volume 25, 1990; and 'Missionaries and anthropologists', *Man* (N.S.) volume 26, 1991.
- 50:5 **Trigger's criticisms:** David Trigger, Review of H.C. Coombs, et. al. *Land of Promises: Aborigines and Development in the East Kimberley*, *Canberra Anthropology*, volume 14, number 1, 1991, page 103.
Aboriginal Issues Unit's criticisms: NR 5, pages 371–2.
- 50:6 **Christianity internally generated:** See e.g. Tonkinson, *op. cit.*; Robert Bos, 'The Dreaming and social change in Arnhem Land', in Swain and Rose, *op. cit.*
Quotation about new ways: NR 2, page 133.
- 50:6/51:1 **Condemns those who criticise culture distinctiveness:** E.g. NR 2, page 511.
- 51:2 **Quotation from Hume and her observations:** *Op. cit.*, page 250 and *passim*.
Importance of revitalisation: E.g. NR 1, page 16; NR 2, page 42; NR 3, page 153; NR 4, page 324.
- 51:3 **Tensions in principles:** NR 2, pages 84–8.
Quotation about violence: NR 2, page 88, see also pages 98–103.
- 51:4 **Loss of indigenous mechanisms:** E.g. NR 2, pages 103–8, 274–5, 284–7.
- 51:4/52:1 **Quotation about revitalisation:** NR 2, page 145.
- 52:2 **Revivification and land rights, etc.:** NR 2, page 42. See also, e.g. Rozanne Lilley, 'Gungarakayn women speak: reproduction and the transformation of tradition', *Oceania*, volume 60, 1989, page 87; David Trigger, *Whitefella Comin'*, *op. cit.*, page 198.
Quotation about New Zealand situation: Steven Webster, 'The postmodernisation of Maori culture', paper pre-

- sented at Australian Anthropological Society Annual Conference, Canberra, 1 October 1992, page 3.
- 53:2 **Misfortunes blamed on others:** See e.g. Kenneth Maddock, *The Australian Aborigines: A Portrait of Their Society*, Penguin, 2nd edition, 1982, pages 144–52.
Quotations about sorcery and role in deaths: NR 2, page 107.
- 53:3 **Utilising medical services:** See e.g. Sherry Sagers and Dennis Gray, *Aboriginal Health and Society*, Allen and Unwin, 1991, pages 54–7.
Importance of preventive services: E.g. NR 4, pages 212–3, 228–9.
- 53: f20 **Death at Wujal Wujal:** C. Anderson, 'Deaths in custody', *op. cit.*; L.F. Wyvill, *Report of the Inquiry into the Death of the Young Man who Died at Wujal Wujal on 29 March 1987*, 1990, pages 3–4.
- 54:1 **Quotation about aetiology:** NR 4, page 245.
Quotation about complementary roles: NR 4, page 245.
- 54:2 **Quotation from Gerrard:** 'Use of kava in two Aboriginal settlements', in J. Prescott & G. McCall (eds), *Kava: Use and Abuse in Australia and the South Pacific*, National Drug and Alcohol Research Centre, University of NSW, 1988, page 56.
- 54:3 **Brady on petrol sniffing:** *Op. cit.*, page 151.
- 54: f21 **Trigger's argument:** *Op. cit.*, pages 204–5.
- 55:1 **Climate of distrust:** As Howard Morphy has noted, anthropologists have shown little interest in Aboriginal sorcery in recent years (*op. cit.*, page 258). But for an indication of the socially corrosive effects of such beliefs see e.g. David McKnight, 'Sorcery in an Australian tribe', *Ethnology*, volume 20, 1981; Janice Reid, *Sorcerers and Healing Spirits*, ANU Press, 1983, especially pages 112–114; C. Anderson, 'Deaths in custody', *op. cit.*, pages 5–6.
- 55:2 **Quotation about taking control:** NR 2, page 235.
Quotation about 'high flyer': NR 2, page 359. For discussions of the importance of liberal virtues see e.g. Gertrude Himmelfarb, 'Manners into morals', *Quadrant*, number

- 252, January–February 1989; Heather Richardson, 'The politics of virtue', *Policy Review*, Fall 1991; Ken Baker, 'Enterprise and virtue', *IPA Review*, volume 45, number 4, 1992.
- 55:2 (cont'd) **Work ethic and assimilation:** NR 4, page 360.
- 55:3 **Quotation about diversity:** NR 2, page 65.
- 55:f22 **Blurring of responsibility:** NR 2, pages 235, 322.
- 56:1 **Need to reconsider contradictory goals:** See also Geoffrey Blainey, *op. cit.*
- 57:1 **Quotation about empowerment:** NR 1, page 19.
Quotation about core of concept: NR 2, page 501.
Quotations from Standing Committee report: NR 2, page 505.
Quotation about ambit for negotiation: NR 2, page 509.
- 57:2 **Acknowledgement of tensions:** NR 2, pages 534–6.
Successful examples: E.g. NR 4, pages 31–9, 45–50.
- 58:1 **Attempts counter-productive:** E.g. NR 2, pages 527–39; NR 4, pages 13–15.
Artificially created communities: E.g. NR 2, pages 83, 157–8, 535.
- 58:2 **Support for Aboriginal organisations:** E.g. NR 1, pages 23–5; NR 4, pages 22–30.
Civil society: See e.g. Martin Krygier, 'In praise of Conservative-liberal-social democracy', *Quadrant*, May 1992, page 15, Chandran Kukathas, *op. cit.*, pages 21–3; Andrew Norton, 'Civil society: the middle way', *IPA Review*, volume 44, number 3, 1991.
- 58:3 **Quotation from Valadian:** *Op. cit.*, page 33. See also Pollard, *Give and Take*, *op. cit.*, pages 75, 105.
Remuneration of volunteers: NR 4, pages 102–9, Recommendation 221.
- 58:4/59:1 **Primacy of individual interests:** E.g. NR 2, pages 84–6, 534–5.
- 59:1 **Flexible affiliation:** See e.g. Ian Keen, 'Twenty-five years of Aboriginal kinship studies', in *Social Anthropology and*

- Australian Aboriginal Studies: A Contemporary Overview*, *op. cit.*, pages 102–4.
- 59:1 (cont'd) **Diversity:** E.g. NR 2, pages 64–5.
- 59:2 **Quotation from Steele:** *Op. cit.*, page 22.
- 62:1 **Failure of affirmative action:** See e.g. Pollard, 'Ending Aboriginal poverty', *op. cit.*; Sowell, 'Affirmative action', *op. cit.*, page 33.
- Multiplication of grievances:** See e.g. Shelby Steele, 'The new sovereignty', *Harper's Magazine*, July 1992.
- 62:2 **Quotation from Eggleston:** *Royal Commission into Aboriginal Deaths in Custody: Regional Report of Inquiry into Underlying Issues in Western Australia*, 1991, volume 1, page 86.
- Quotation from Kukathas:** *Op. cit.*, page 22.
- 62:3/63:1 **Quotation from Ross:** Ann Arnold, 'The new blacks', *The Bulletin*, 16 October 1990.
- 63:2 **Need to target disadvantaged people:** See e.g. Pollard, 'Ending Aboriginal poverty', *op. cit.*; Lewins, *op. cit.*, page 177.



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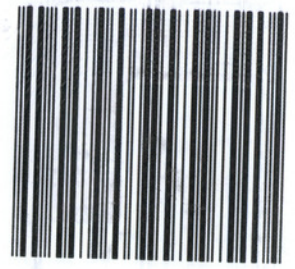
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